



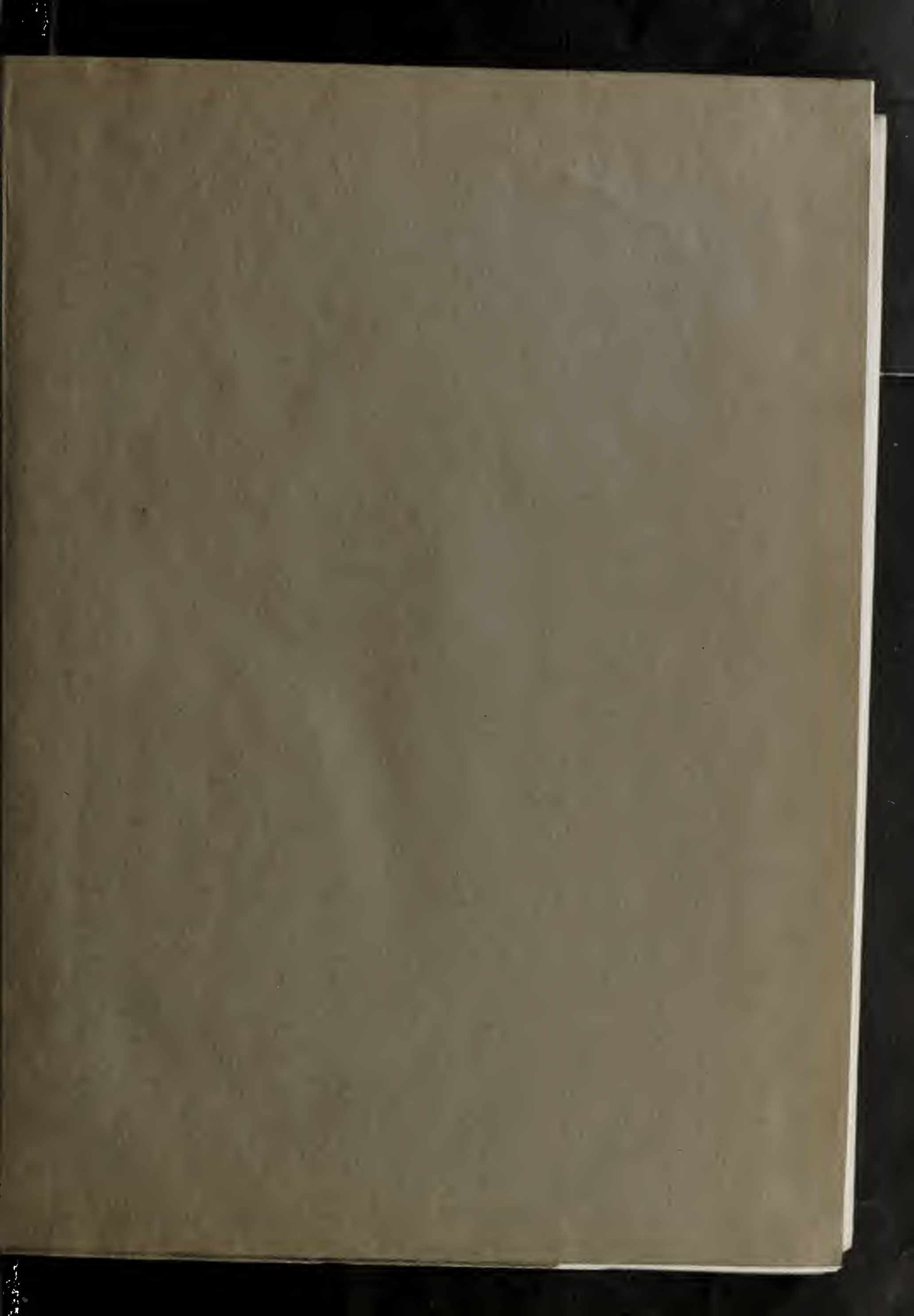


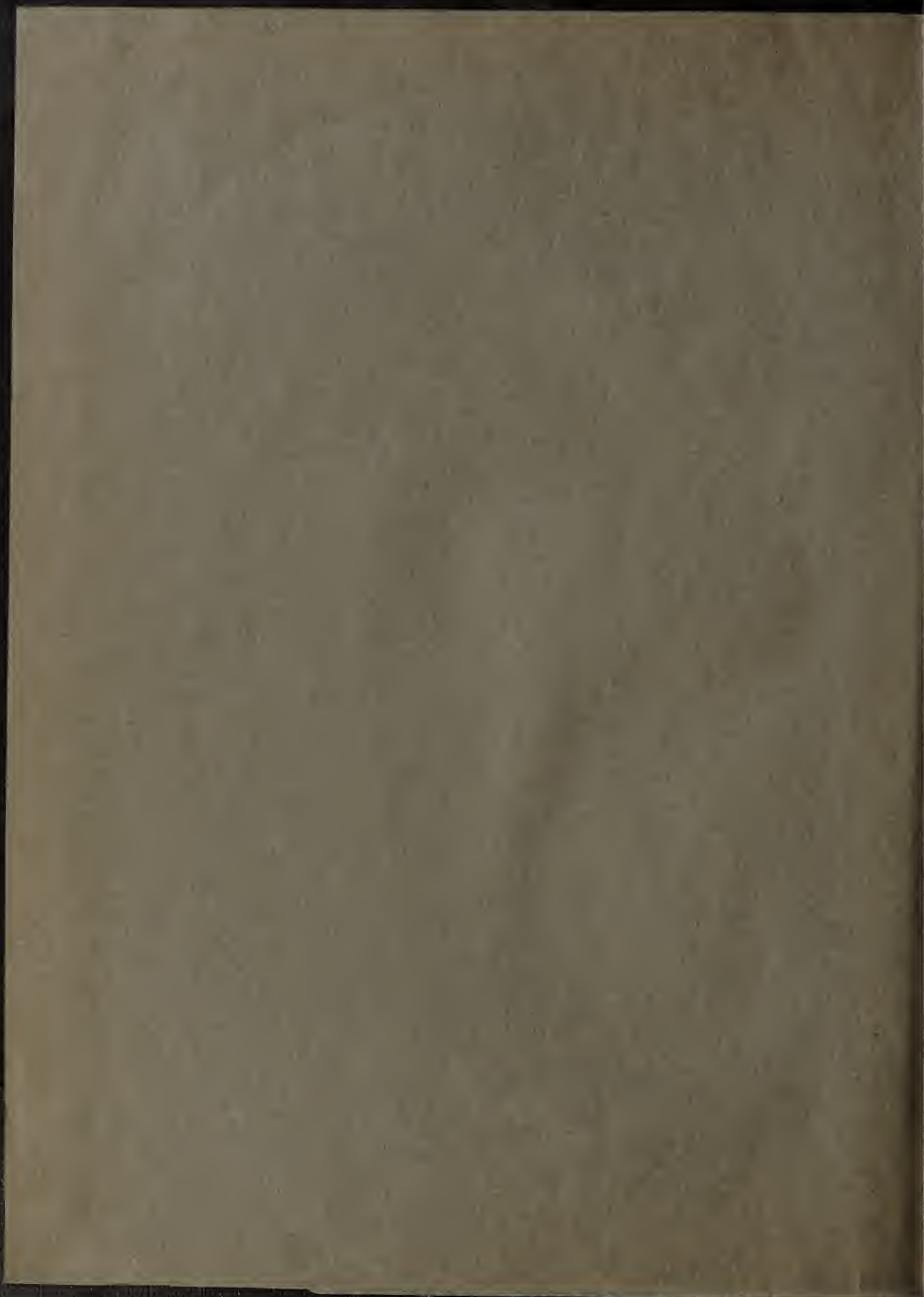
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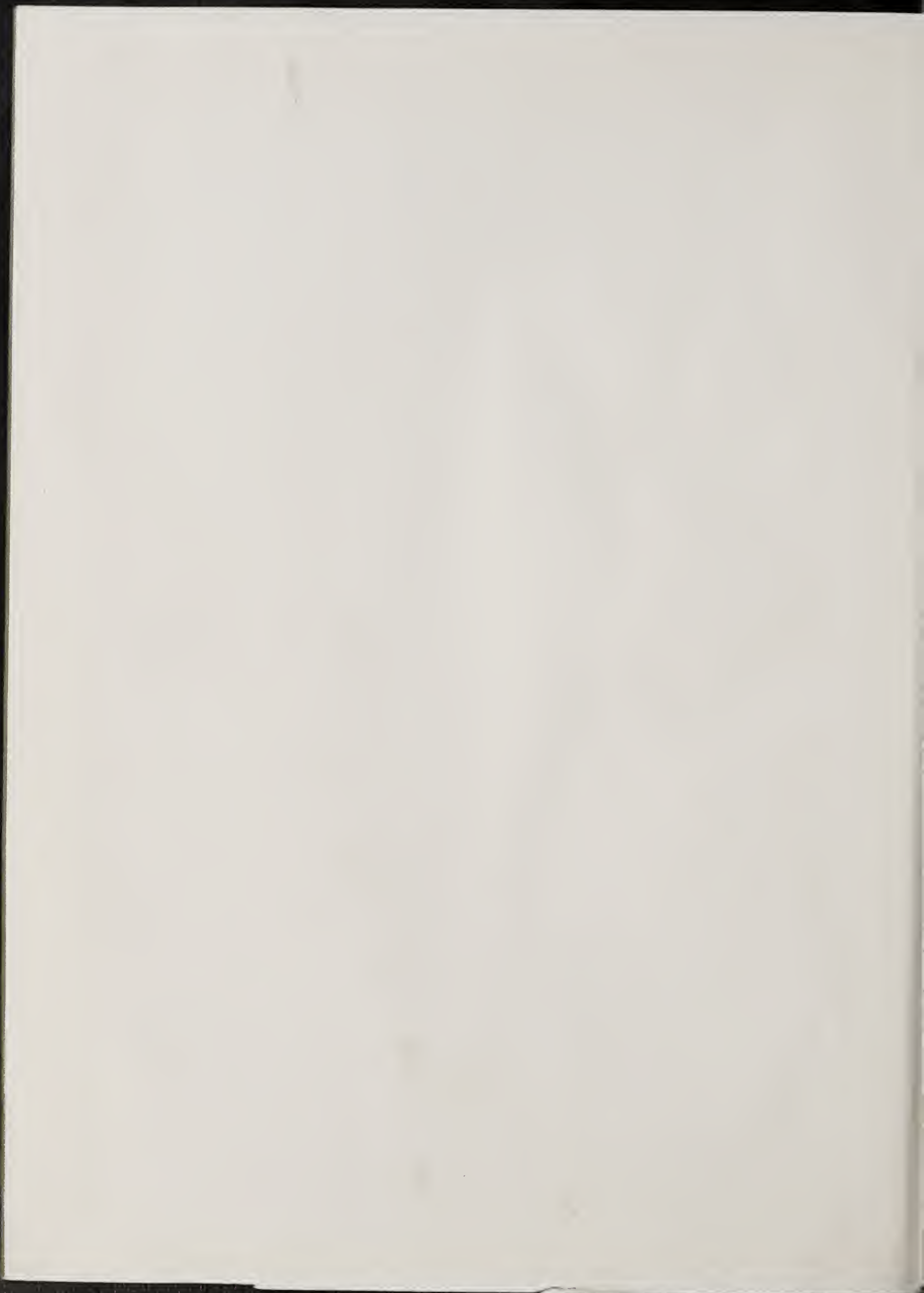
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BULLETIN

OF THE BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

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No. 27

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.

Address all communication to the Chairman.

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HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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690-40-BZ....H.B.Q....91-06 Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1), Jackson Heights, Borough of Queens, Misc. Applic. 3773-40.

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693-40-A.....F.D.....474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot No. 25), Borough of Brooklyn, Decision—re 83326-L.C.

694-40-A.....F.D.....224 Centre street, 165-171 Grand street, southeast corner, and 154 Baxter street (Block No. 235, Lot No. 13), Borough of Manhattan, Decisions—re 6665-L.F.

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697-40-A.....H.B.B....445 New Lots avenue, north side, 45 ft. 5 $\frac{1}{4}$ in. east of Vermont street (Block No. 3842, Lot No. 30), Borough of Brooklyn, Alt. 1031-40.

698-40-SA.....Paragon Oil Burner, Model B, Appliance.

699-40-SA.....Westinghouse Type OC Oil Buffer (for elevators), Appliance.

700-40-SA.....Westinghouse Type OM Oil Buffer (for elevators), Appliance.

701-40-SA.....Westinghouse Type 126B Interlock, Appliance.

702-40-SM.....L.O.F. Polished Plate Glass, L.O.F. Colored Plate Glass, L.O.F. Sheet or Window Glass, L.O.F. Color Clear Glass, Aklo Heat Absorbing Plate Glass, Termopane Glass, Thermolux Glass, Laminated Safety Glass, Tuf-Flex Tempered Plate Glass, Vitrolux Color Fused Tempered Plate Glass and Vitrolite Glass, manufactured by Libbey Owens Ford Glass Company, Material.

703-40-SM.....A.T. Cinder Blocks, manufactured by Andrew Trachina, Material.

704-40-A.....H.B.Q....12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens, Misc. Applic. 4828-40.

705-40-BZ....H.B.Bx....220 White Plains road and 701 Pelham Parkway North (Block No. 4343, part of Lot No. 1), Borough of The Bronx, Decision—re Certificate of Occupancy.

706-40-SM.....L.O.F. Extrudalite Store Front Metal, manufactured by Libbey Owens Ford Glass Company, Material.

707-40-SM.....Tyler One and One-Half Hour Hollow Metal Fire Door, manufactured by W. S. Tyler Company, Material.

708-40-SM.....United Metal Products Division of Diebold Safe and Lock Company, One and One-Half

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and Lock Company,
Material.

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Interlock, Appliance.

723-40-SA.....Otis Types A and AU Hoistway
Door Hangers, Appliance.

724-40-SA.....Otis Type B Two-Point Suspen-
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Appliance.

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120-33-BZ....H.B.R....2030 Hylan boulevard, southwest
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JULY 2, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 2, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 183-40-BZ—Application, February 16, 1940, under section 21 of the building zone resolution, of Benjamin W. Levitan, applicant, on behalf of Cimiez Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 207-40-BZ—Application, February 26, 1940, under section 7e of the building zone resolution, of City Bank Farmers Trust Company, trustee, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleeker street (Block No. 539, Lot No. 31), Borough of Manhattan.

CAL. NO. 165-40-BZ—Application, February 10, 1940, under section 21 of the building zone resolution, of Thomas J. Kelaher, applicant and owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle

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avenue (Block No. 5360, Lot No. 21),
Borough of The Bronx.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 920-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Irving Yarvin, owner, reopened June 4, 1940, under new facts—reapportionment of lot, to permit in a business use district the extension of an existing gasoline service station (previously denied—re partly in a residence and partly in a business use district); premises 139-25 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 384-40-BZ—Application, April 12, 1940, under section 7h of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

CAL. NO. 763-38-BZ—Application of Herman Kron, applicant, on behalf of New York Telephone Company, owner (Jacob Goldstein, lessee), reopened October 17, 1939, under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 728-732-744 Second avenue,

east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

CAL. NO. 163-40-BZ—Application, February 9, 1940, under sections 7h and 21 of the building zone resolution, of Louis R. Patur, applicant, on behalf of Beck-Brown Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

CAL. NO. 327-40-BZ—Application, April 1, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Oxford Development Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a

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garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10, and part of Lot No. 1), Forest Hills, Borough of Queens.

CAL. NO. 215-40-BZ—Application, February 28, 1940, under section 21 of the building zone resolution, of Edward C. Miller, applicant, on behalf of Marie J. Masterson, owner (James L. Percival, lessee), to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

241-40-A—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 2, 1940, 2 P. M.

Appeals from Administrative Decisions.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law, re building fronting on a proposed private street).

333-40-A—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Park of Edgewater, Borough of The Bronx (under Section 35, General City Law—re Bed of Mapped Street).

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

263-40-A—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

581-40-A—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

665-40-A—500 Broome street, northeast corner of West Broadway (2nd, 3rd and 4th floors); (Block No. 487, Lot No. 7), Borough of Manhattan.

209-40-A—92-17 to 92-19 Union Hall street, east side, 175 ft. south of Jamaica avenue (Block No. 10102, part of Lot No. 74), Jamaica, Borough of Queens.

688-40-A—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.

146-40-A—39 West 54th street, north side, 280 ft. east of Sixth avenue (Block No. 1270, Lot No. 12), Borough of Manhattan.

676-40-A—Blocks bounded by East 102nd street to East 105th street and between First avenue and East River drive (Block Nos. 1696, 1697 and 1698), Borough of Manhattan.

261-40-A—167 Delancey place, east side, 213 ft. north of Morris Park avenue (Block No. 4056, Lot No. 7), Borough of The Bronx.

677-40-A—73-03, 73-07 and 73-11 186th street, southeast corner of 73rd avenue (Block No. 7174, Lot No. 1), Flushing, Borough of Queens.

678-40-A—73-04 and 73-10 186th street, southwest corner of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

444-40-A—149 Congress street, 359-363 Henry street, 120-122, 115-121 and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

493-40-A—101-103 Greene avenue and 393 Vanderbilt avenue, northeast corner (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

577-40-A—721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan.

Variations of the Labor Law.

83-40-S—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

551-40-S—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

637-40-S—154 East 23rd street, south side, 150 ft. west of Third avenue (Block No. 878, Lot No. 48), Borough of Manhattan.

JULY 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal.

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Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

CAL. NO. 25-34-BZ—Application of Nicholas Drogaris, applicant, on behalf of Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), reopened May 28, 1940, under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco; premises 1188-1196 Ocean parkway and 515-529 Avenue "L", northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

CAL. NO. 379-40-BZ—Application, April 12, 1940, under section 21 of the building zone resolution, of A. Robert Chananie, applicant, on behalf of Frieda Messinger, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, south-

east corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 227-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of three (3) buildings to be used as hog pens; buildings to be used in conjunction with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 228-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 229-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a slaughter house used in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection

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and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 385-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3560 Netherland avenue and 566 West 236th street, southeast corner (Block No. 3409-G, Lot No. 492), Borough of The Bronx.

CAL. NO. 386-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3215 Arlington avenue, west side, 100.28 ft. north of West 232nd street (Block No. 3409, Lot Nos. 62 and 64), Borough of The Bronx.

CAL. NO. 387-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only;

premises 3260 Netherland avenue, east side, 150 ft. south of West 235th street (Block No. 3409-B, Lot No. 148), Borough of The Bronx.

CAL. NO. 388-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3225 Johnson avenue, west side, 214.73 ft. north of West 232nd street (Block No. 3409-B, Lot Nos. 177 and 179), Borough of The Bronx.

CAL. NO. 389-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3259 Johnson avenue, west side, 116.67 ft. south of West 235th street (Block No. 3409-B, Lot Nos. 165 and 166), Borough of The Bronx.

CAL. NO. 460-40-BZ—Application, May 1, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Lenox Gardens Building Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 68-12 Yellowstone boulevard, northwest corner of 68th road, west side of Yellowstone boulevard, from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens.

CAL. NO. 466-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Franklin Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 118-11 84th avenue, northwest corner of Lefferts boulevard (avenue) and northeast corner of 84th avenue and 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens.

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CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1940, 2 P. M.

Appeals from Administrative Decisions.

658-40-A—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

42-40-A—59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn.

594-40-A—77 Elizabeth street, west side, 79 ft. 10 in. north of Hester street (Block No. 238, Lot No. 31), Borough of Manhattan.

1196-39-A—322-324 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot No. 15), Borough of Brooklyn.

558-40-A-WF—135-14 Roosevelt avenue, south side, 70 ft. east of Prince street (Block No. 5036, Lot No. 20), Flushing, Borough of Queens.

1375-39-A—40-06 to 40-10 104th street, northwest corner of 41st avenue (Block No. 1975, Lot No. 18), Corona, Borough of Queens.

733-40-A—73-02 192nd street, southwest corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

734-40-A—73-06 and 73-10 192nd street, west side, 570 ft. and 610 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

735-40-A—73-03 192nd street, southeast corner of 73rd avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

736-40-A—73-07 and 73-11 192nd street, east side, 577 ft. and 619 ft. north of 75th avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

651-40-A—58-54 and 58-58 187th street, southwest corner of 58th avenue and west side of 187th street, 50 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.

652-40-A—58-53 and 58-57 187th street, southeast corner of 58th avenue and east side of 187th street, 50 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

738-40-A—56-49 and 56-53 187th street, northeast corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

739-40-A—56-52 188th street, northwest corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

740-40-A—56-42, 56-44, 56-48 and 56-52 187th street, northwest corner of 58th avenue (Block No. 5672, Lot No. 26), Flushing, Borough of Queens.

741-40-A—58-04, 58-08, 58-12, 58-16, 58-20, 58-24, 58-28, 58-32, 58-36, 58-40, 58-44 and 58-48 188th street, southwest corner of 58th avenue and west side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

742-40-A—58-03, 58-07, 58-11, 58-15, 58-19, 58-23, 58-27, 58-31, 58-35, 58-39, 58-43 and 58-47 188th street, southeast corner of 58th avenue and east side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens.

JULY 12, 1940, 10 A. M.

Appeals from Administrative Decisions.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

Rules.

639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

JULY 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 417-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution,

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of Victor Greiff, applicant, on behalf of Helen Greiff and Lotti J. Greiff, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a one-car garage, accessory to the dwelling on the premises; said garage does not conform with the "G" area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach (Neponsit), Borough of Queens.

CAL. NO. 485-40-BZ—Application, May 7, 1940, under section 7b of the building zone resolution, of Emanuel M. Glick, applicant, on behalf of Methill Realty Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

CAL. NO. 421-40-BZ—Application, April 24, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of W. Goadby Loew and United States Trust Company of New York, trustee of Estate of Charles F. Rowe, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

CAL. NO. 415-40-BZ—Application, April 22, 1940, under sections 7b and 7c of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 193-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of A. Paul Loshen, applicant, on behalf of Charles Weber, owner, to permit in a residence use district the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appurtenant to a multiple dwelling; garage space is for the use of tenants only; premises 175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 555-27-BZ—Application of Conroy and Hardy, applicants, on behalf of Elizabeth W. Herman, owner, reopened February 14, 1940, under alleged new facts, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Properties, Incorporated, owner, reopened May 9, 1939, for rehearing by order of the court, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 1447-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Marie Hediger, owner, to permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

CAL. NO. 814-28-BZ—Application of William Reich, applicant, on behalf of John Cestaro, Patrick LaTrace and Joseph Cestaro, owners, reopened October 24, 1939, under sec-

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tions 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board); premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

CAL. NO. 436-40-BZ—Application, April 25, 1940, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Mollie Schorr, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 465-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Samuel Gardstein, applicant, on behalf of Madison Arms, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Leferts boulevard (avenue); (Block No. 3322, Lot No 25). Kew Gardens, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to

permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

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509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

438-40-A—1009 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

654-40-A—1017 Avenue "K", north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

656-40-A—38-42 Second avenue, west side, 6th street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JUNE 25, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, May 28, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, May 28, 1940, were approved as printed in Bulletin No. 23, Vol. 25.

BUILDING ZONE CASES.

272-40-BZ.

APPLICANT—Gould de Neergaard, for Spuyten Duyvil Tower, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station.

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nance of a multiple dwelling, having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

APPEARANCES—

For Applicant: Gould de Neergaard.

For Opposition: None.

ACTION OF BOARD—Laid over to July 16, 1940 at 10 A.M. Notices to be sent out not later than July 2, 1940

327-40-BZ.

APPLICANT—Philip Birnbaum, for Oxford Development Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10 and part of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum and Alfred Kaskel.

ACTION OF BOARD—Laid over to July 2, 1940 at 10 A.M., for further consideration by the Board.

336-40-BZ.

APPLICANT—Samuels and Samuels, for William J. Hamilton, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 22, 1940 at 10 A.M. Notices to follow the usual procedure.

272-26-BZ.

APPLICANT—Lama and Proskauer, for Maned Realty Company, Incorporated, owner (Harry Roiseman, lessee).

SUBJECT—Application reopened April 30, 1940 for rehearing on a new proposal—(re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied—re erection of gasoline service station).

PREMISES AFFECTED—555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Harry Roiseman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(272-26-BZ)

WHEREAS, this application, affecting premises 555-563 Atlantic avenue, north side, 97 ft. 10 in. west of Fourth avenue (Block No. 180, Lot No. 40), Borough of Brooklyn, to permit in a business use district the erection and maintenance of a gasoline service station was denied by the Board September 14, 1926; and

WHEREAS, Lama and Proskauer, for Maned Realty Company, Incorporated (Harry Roiseman, lessee), requested a rehearing of the application under a new proposal to permit, under sections 7h and 21 of the building zone resolution, in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board April 30, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 25, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Atlantic avenue, State street and Flatbush avenue are in business use districts; Third avenue is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application No. 6963-39, dated April 17, 1940, reads:

"1. The proposed use of lot for the parking and storage of more than five motor vehicles in a business district is contrary to the provisions of Art. II, Sec. 4, Subdiv. 15, of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 125 ft. and a depth of 90 ft.; it is proposed to use the plot for a temporary period of not more than two (2) years for the storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking and storage of automobiles, on condition that only automobiles of the pleasure-car type shall be stored and parked; that the plot shall be leveled substantially to the grade of Atlantic avenue and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines, where masonry walls of adjoining buildings do not occur, a substantial woven-wire fence with steel pickets not less than 6 ft. in height with no openings therein; that a similar fence shall be erected along the street building line of Atlantic avenue, except for an entrance not over 20 ft. in width with a curb cut opposite of similar width; that proper aisles shall be maintained at all times for easy ingress and egress; that during the term of this permit the premises shall be used

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for no other use than as herein permitted and no building shall be erected thereon, except there may be a building used exclusively as an office and shelter for the attendant, which shall be not more than one story in height and 150 sq. ft. in area and which may be of frame and located near the entrance; that any billboards or signs existing on the premises shall be removed and no signs shall be erected, except there may be a sign attached to the fence near the entrance advertising the parking use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated, and does not extend beyond the building line; that any lights for general illumination shall be on steel posts with metallic reflectors so arranged as to reflect toward the center of the premises; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

780-27-BZ.

APPLICANT—Edgar Palmieri, for Garbo Garage Corporation, owner.

SUBJECT—Application reopened April 16, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station.

PREMISES AFFECTED—112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar Palmieri, Alfred A. Lama and Jacob Shaiken.

For Opposition: Rose Seril and Herman Marin.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(780-27-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn, was granted by the Board January 24, 1928; and

WHEREAS, Edgar Palmieri, for Garbo Garage Corporation, owner, filed an application, under section 21 of the building zone resolution, so as to include an alcove gasoline service station; and

WHEREAS, this application was reopened by a vote of the Board on April 16, 1940; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 98th street and Ralph avenue are in business use districts; Rockaway parkway and Winthrop street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 5, 1940, reads:

"1. Proposed alterations to front part of present public garage, for the purpose of creating a gasoline service station within a business district, is contrary to Art. II, Sec. 4 (a), subd. 46, of the Zone Resolution."

and

WHEREAS, the existing building is one story in height, with a frontage of 129.2 ft. and a depth of 110 ft.; of Class 3 construction; it is proposed to remove and relocate part of the street wall of the existing garage for more than five (5)

motor vehicles and to use the resulting area as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on January 24, 1928, by adding thereto:

"that in the event the owner desires to construct a gasoline selling alcove at the front of the building, substantially as indicated on plans marked 'Received April 5, 1940,' such alcove may be constructed, including an office and lubritorium, as indicated, provided that the alcove wall shall be set back from East 98th street for a distance of not less than 35 ft. and that no gasoline pumps shall be erected nearer than 15 ft. to the street building line; that any windows in this alcove wall shall be constructed of steel frames and sash, glazed with wire glass; that the main entrance doors to the garage shall be of metal and of the sliding type; that the gasoline selling alcove shall be cement paved; that any sign extending beyond the building line shall be solely for advertising the brand of gasoline on sale, and may be illuminated, but shall not extend beyond the building line for a distance of more than 5 ft.; that no portable gasoline tanks shall be used on or from the premises; that lubricating equipment shall be of the hydraulic type; that no automobile repairing shall be carried on on the premises; that not more than three (3) 550-gallon gasoline tanks shall be installed, including the two now existing; that such tanks shall not be installed nearer than 20 ft. to the boiler-room wall; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that in the event this proposed gasoline selling alcove is constructed, plans shall be submitted for approval by the chairman in behalf of the Board prior to filing same with the Department, and after such approval all permits required shall be obtained and all work completed in connection therewith within one year from the date of this amended resolution; that in all other respects the resolution adopted by the Board on January 24, 1928, shall be complied with."

410-31-BZ.

APPLICANT—Rudolph B. Weiss, for Lakeville Road Service Station, Incorporated, owner.

SUBJECT—Application reopened May 28, 1940—re consideration as to extension of permit and extension of time to complete work—re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 7f of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the alteration and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—175-14 Horace Harding boulevard, south side, 117.71 ft. west of Utopia parkway and 83.78 ft. east of 175th street (Block No. 2661, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Rudolph B. Weiss.

ACTION OF BOARD—Permit extended, time extended and resolution amended.

THE VOTE TO EXTEND PERMIT, EXTEND TIME AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4

Negative 0

THE RESOLUTION—

(410-31-BZ)

WHEREAS, this application, under section 7f of the building zone resolution, to permit, partly in a business use district

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and partly in a residence use district, the erection and maintenance of a gasoline service station, was granted by the Board April 29, 1932, on certain conditions, resolution amended May 24, 1938, and April 11, 1939; and

WHEREAS, Rudolph B. Weiss, for Lakeville Road Service Stations, Incorporated, owner, requested an extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 29, 1932, as amended May 28, 1938, and April 11, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision f, for a temporary period of two (2) years from the date of this *amended resolution*, on condition that all pumps shall be set back not less than 10 ft. from the building line; that the buildings erected on the premises as office or accessory building shall be but one story in height and shall be located and arranged substantially as indicated on plans marked 'Received April 4, 1939'; that any advertising signs shall be confined to the illuminated globes of the gasoline pumps and to signs attached to the facade of the accessory building; that no motor vehicle repairing shall be carried on on the premises; that photographs showing existing conditions shall be filed with the Board within one month from the date of this *amended resolution*; that the certificate of occupancy issued shall refer to the conditions of this resolution as amended; that all permits required shall be obtained and all work completed within six months from the date of this *amended resolution*."

349-40-BZ.

APPLICANT—Jacob J. Schwebel, for New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Jacob J. Schwebel.

For Opposition: Peter A. Quinn, George S. Fiordalesi, L. Preisman, J. Weisman and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(349-40-BZ)

WHEREAS, Jacob J. Schwebel, for New York, New Haven and Hartford Railroad Company, owner (Cousins Realty Corporation, lessee), filed April 5, 1940, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 606 Baker avenue, south side, 75 ft. east of Garfield street, west side of White Plains road and east

side of Garfield street (Block No. 4025, Lot No. 27), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 25, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that White Plains road is in a business and unrestricted use district; East Tremont avenue is in an unrestricted and business use district; Baker avenue is in a residence and business use district; Garfield street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated March 25, 1940, reads:

"Please be advised that the above premises are located both in a residence district and a business use district.

The parking and storage of more than three (3) motor vehicles, non-accessory to a dwelling, in that portion of the premises located in the residence use district, is contrary to Article 2, Section 3 of the Building Zone Resolution. The parking and storage of more than five (5) motor vehicles, in the portion of the premises located in the business use district is contrary to Article 2, Section 4 of the Building Zone Resolution. Application for a Certificate of Occupancy for the above premises is therefore denied."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 60 ft. on White Plains road, 25 ft. on Baker avenue and a distance of 456 ft. along the south lot line; the west portion of the plot, for a depth of 100 ft. from White Plains road, is located in a business use district and the remainder is in a residence use district; it is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was not a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution, and that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

350-40-BZ.

APPLICANT—Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district and also, E area district, the erection and maintenance of a building (fire-house) not complying with E area requirements.

PREMISES AFFECTED—1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Carl Hartzelius.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative	0
Not Voting: Assistant Chief McCarthy....	1

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THE RESOLUTION—

(350-40-BZ)

WHEREAS, Warden H. Fenton, Director, Bureau of Architecture, Department of Public Works, City of New York, owner, filed April 5, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and, also, E area district, the erection and maintenance of a building (fire house) not complying with E area requirements; premises 1684 Eastern boulevard, south side, 50 ft. east of Fteley avenue (Block No. 3660, Lot Nos. 54 and 65), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 25, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern boulevard, Croes avenue and Banyer place are in residence and business use and, also, D and E area districts; Fteley avenue is in a residence use and, also, E and D area district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 155-40, dated March 14, 1940, reads:

"1. Building to set back 10' from building line not to exceed 50% of area on 1st floor and 30% of area 18' above curb. Sec. 15(c), Building zone resolution.
Examination to be continued."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on the new line of Eastern boulevard, 50 ft. on Banyer place and a depth of 108 ft.; there is an existing two story brick fire house, 36 ft. 8 in. by 89 ft. in area, located on the old street line of Eastern boulevard; it is proposed to relocate this building, as shown on filed plans, without the required 10 ft. setback on the new street line of Eastern boulevard; the building occupies, at curb level, an area of 3,000 sq. ft., an excess area of 300 sq. ft. over the allowable 50 per cent. of the area of the lot; the building occupies, above a level 18 ft. above the curb, an area of 3,000 sq. ft., an excess area of 1,380 sq. ft. over the allowable 30 per cent. of the area of the lot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, as to area requirements, *on condition* that the building shall set back not less than 10 ft. from the new street building line of Eastern boulevard, and that a rear yard along Banyer place shall be left unbuilt upon for a depth of not less than 8 ft.; that a suitable steel picket fence not less than 6 ft. in height shall be erected along the building line of Banyer place; that an exit gate may be installed in this fence; that this variance shall continue only so long as the building is used as proposed as a fire station of the City of New York; that in all other respects all laws, rules and regulations shall be complied with; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

368-40-BZ.

APPLICANT—Paul Friedman, for Plaza-Circle Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use

district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Samuel L. Malkind and Louis Posner.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(368-40-BZ)

WHEREAS, Paul Friedman, for Plaza-Circle Corporation, owner, filed April 8, 1940, an application under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use and partly in a business use district, the alteration and conversion of occupancy of part of an existing building from garage for more than five (5) motor vehicles to store use, and from carriage house and stable for more than five (5) horses to garage for more than five (5) motor vehicles; premises 2-14 Plaza street and 405-413 Flatbush avenue, northeast corner (Block No. 1169, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 25, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in business and residence use districts; St. Johns place, Plaza street and Lincoln place are in residence use districts; Vanderbilt avenue is in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 20-40, dated April 1, 1940, reads:

"1. Proposed change of occupancy of portions of this bldg. from public garage use to store use and frame carriage storage use and stable for more than five horses to public garage use is contrary to Art. II, Secs. 3 and 4, Zoning Resolution. Premises located partly within residential district and partly within business district."

and

WHEREAS, the existing building is two and three stories in height, of Class 3 construction, having a frontage of 120 ft. on Plaza street and 110 ft. on Flatbush avenue, irregular in area; a part of the northerly portion of the existing building, with a frontage of 10 ft. on Flatbush avenue and a depth of 100 ft., is in a business use district, the remainder is in a residence use district; it is proposed to convert the occupancy of the basement story of the building from garage for more than five (5) motor vehicles and stables to garage for more than five (5) motor vehicles; it is also proposed to convert the occupancy of the first story from garage for more than five (5) motor vehicles and carriage house to stores and garage for more than five (5) motor vehicles; to maintain the use of the second story as garage for more than five (5) motor vehicles and motor vehicle repair shop and to maintain the third story as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the

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grounds of practical difficulty and unnecessary hardship, to permit the reconstruction and rearrangement of the existing garage to garage and store use and, further, to extend the area under section 7c.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under sections 7c and 21 thereof, to permit the premises under appeal to be altered substantially as indicated on revised plans marked "Received June 25, 1940," on condition that there shall be no openings from the corner store (No. 7) to Plaza street; that the proposed stores shall be designed with colonial shop fronts; that the openings in the walls to the north and east facing adjoining premises shall either be bricked up or replaced with fireproof self-closing windows; that in the non-fireproof portion of the building there shall be installed a sprinkler system which need only be one-source complying with the requirements of the Building Code therefor and with additional sprinkler heads under the soffits of the lower chords of the trusses; that no signs shall be erected on the premises except a neat sign at the entrance to Plaza street, denoting the garage, and signs in connection with the stores, consisting of permanent signs attached to the wall over the store front, and not over 2 ft. in height, and including non-illuminated signs on the plate glass of the show windows, doors and transoms; that any automobile repairing carried on in the building shall be restricted to the present space now so occupied on the second story; that no trucks shall be stored in the garage; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that no portable gasoline pumps shall be used on or from the premises; that any gasoline sold from the premises shall be solely for automobiles stored within the garage, and no sign advertising gasoline shall be displayed on the exterior of the building; that openings between the fireproof portion of the garage and the non-fireproof portion shall be protected with approved fire-resistant doors as required by the Building Code therefor; that the exterior of the building shall be cleaned either by sand blasting or steam cleaning; that all portions of the cellar where now unpaved shall be cement paved; that the space between the curb and the building along Plaza street, other than the required sidewalk, shall be sodded to the satisfaction of the park Department, except for the driveway to entrance; that the curbs and sidewalks shall be restored; that all curb cuts shall be restored, except for the entrance as proposed from Plaza street and that the curb cut opposite such entrance shall not exceed 15 ft.; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that complete plans shall be submitted to the chairman of the Board before same are filed with the borough superintendent of buildings; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Adjourned, 12:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JUNE 25, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

1053-38-BZ.

APPLICANT—Lama and Proskauer, for Brooklyn Development Company, owner.

SUBJECT—Application for consideration—re reopening and amendment—re Application (decision of the acting

borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2503-2537 65th street, northwest corner of McDonald avenue (Block No. 6607, Lot Nos. 34 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4

0

845-39-BZ.

APPLICANT—Sidney H. Kitzler, for Harris Goody Realty Company, Incorporated, owner (Jack Nelson, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4

0

1220-23-BZ.

APPLICANT—Roosevelt Savings Bank of the City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (order of the fire commissioner), granted on condition under section 7g of the building zone resolution, permitting in a business use district the maintenance of a parking garage for the storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1090-1094 Gates avenue, east side, 100 ft. north of Broadway (Block No. 3339, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Cross and Frank H. Kandler.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4

0

THE RESOLUTION—

(1220-23-BZ)

WHEREAS, this application affecting premises 1090-1094 Gates avenue, east side, 100 ft. north of Broadway (Block No. 3339, Lot No. 1), Borough of Brooklyn, was granted by the Board on June 27, 1933, for a temporary period, and the temporary period extended from time to time, and

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applicant now requests a further extension of this period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 27, 1933, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted* for a temporary term of one (1) year from the date of this *amended resolution*"

528-31-BZ.

APPLICANT—George William Horr, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George William Horr.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(528-31-BZ)

WHEREAS, this application affecting premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens, was granted by the Board March 18, 1932, under section 7, subdivision f, for a temporary period of two years, on certain conditions, permit extended from time to time, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on May 24, 1934, only so far as it has reference to the term of the permit, so that as amended this portion shall read:

"*granted* for a term of two (2) years from the date of this *amended resolution*."

141-33-BZ.

APPLICANT—Charles Lee Koester, for James H. Hassall and Elsie J. Hassall, owners.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Northwest corner of Farmers boulevard and 143rd road (Block No. 3238, Lot No. 109), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Charles Lee Koester.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(141-33-BZ)

WHEREAS, this application to permit in a business use district, under section 21 of the building zone resolution, the

erection and maintenance of a gasoline service station, premises northwest corner of Farmers boulevard and 143rd road (Block No. 3238, Lot No. 109), Springfield, Borough of Queens, was denied December 27, 1933; reopened by order of the court June 2, 1936; granted by the Board June 23, 1936, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 23, 1936, by adding thereto:

"that the plans marked 'Received June 17, 1940', are hereby *approved* as in substantial compliance with the resolution, *on condition* that the accessory building shall be constructed of incombustible materials, except that the roof beams and boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the exterior of the station shall be constructed of brick; that there shall be a wall erected, as indicated on said plans, along 174th street, 143rd road and the interior lot line to the north from the accessory building to Farmers boulevard; that such wall shall be not less than 4 ft. in height, except that it may be reduced to 2 ft. in height, provided a wrought-iron railing is constructed to the 4 ft. height, as indicated on plans; that where not covered by accessory buildings, the balance of the premises shall be paved either with cement, colprovia or crushed bluestone, provided that if crushed bluestone is used, a proper binder shall be applied and rolled so as to provide an impervious surface; that gasoline pumps installed shall be not nearer than 25 ft. to any street building line; that curb cuts shall be restricted to two to Farmers boulevard, each not over 20 ft. wide, and one to 143rd road, not over 20 ft. in width; that the space to the rear of the accessory building shall be enclosed continuously along the lot line and street building line with a steel picket fence, not less than 4 ft. in height, except that there may be a gate along the building line of 174th street, and such area shall be planted with shrubbery and maintained in presentable condition at all times; that lubrication equipment shall be of the hydraulic lift type; that no portable gasoline tanks shall be used on or from the premises; that there shall be no storage or parking of cars other than those being serviced; that signs shall be restricted to a permanent sign attached to the accessory building and to the illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection of a post standard within the building lines near the intersection of 143rd road and Farmers boulevard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution."

289-34-BZ.

APPLICANT—Wrenn and Schmid, for Edith J. Potter, owner.

SUBJECT—Application reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application (decision of the commissioner of buildings), previously granted on condition under section 7a of the building zone resolution, permitting in a residence use district the extension in area of an existing garage and automobile repair shop for a temporary period.

PREMISES AFFECTED—308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: W. J. Cosgrove.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

4

Negative

0

THE RESOLUTION—

(289-34-BZ)

WHEREAS, Mario J. Cafiero, for Nathaniel Potter, owner, filed October 10, 1934, an application under the building zone resolution, to permit in a residence district the extension in area of an existing garage and automobile repair shop; premises 308 Monroe street, south side, 150 ft. east of Marcy avenue (Block No. 1819, Lot No. 14), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board April 16, 1935, on certain conditions, for a temporary period of two years under section 7a; and

WHEREAS, Wrenn and Schmid, for Edith J. Potter, owner, requested an extension of the permit, which permit has expired by limitation; and

WHEREAS, this application was reopened by vote of the Board May 21, 1940, to permit the necessary publications in the Bulletin of the Board.

Resolved, that the resolution adopted by the Board on April 16, 1935, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted for a term of two (2) years from the date of this amended resolution.*"

235-37-BZ.

APPLICANT—3331 Fish Avenue Corporation, owner.

SUBJECT—Application reopened May 21, 1940, for consideration as to extension of permit—permit having expired by limitation—re Application (decision of the commissioner of buildings), previously granted on condition under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Floyd S. Sanford.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

4

Negative

0

THE RESOLUTION—

(235-37-BZ)

WHEREAS, Samuel Rosenblum, for 3331 Fish avenue Corporation, owner, filed May 21, 1937, an application under the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx; and

WHEREAS, this application was granted by the Board July 9, 1937, on certain conditions, for a temporary period of two years under section 7h; and

WHEREAS, the owner requested an extension of the permit, which permit has expired by limitation; and

WHEREAS, this application was reopened by vote of the Board May 21, 1940, to permit the necessary publications in the Bulletin of the Board.

Resolved, that the resolution adopted by the Board on

July 9, 1937, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted for a term of two (2) years from the date of this amended resolution.*"

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W. P. A. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

4

Negative

0

THE RESOLUTION—

(388-37-BZ)

WHEREAS, Samuel Rosenblum, for W. P. A. Realty Corporation, owner, filed July 30, 1937, an application under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx; and

WHEREAS, this application was granted by the Board January 4, 1938, on certain conditions; resolution amended July 12, 1938; and

WHEREAS, the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on January 4, 1938, as amended July 12, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted for a temporary term of two (2) years from the date of this amended resolution.*"

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Alex Kraut.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., to await court decision in similar case. (Edwards vs. Board.)

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

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OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Alex Kraut.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., to await court decision in similar case. (Edwards vs. Board.)

124-40-A.

APPLICANT—Joseph E. Herman, Acting Borough Superintendent of Buildings, Borough of Manhattan.

OWNER OF PREMISES—Emmar Cronan.

SUBJECT—Application for revocation of Certificate of Occupancy No. 25551.

PREMISES AFFECTED—296-302 South street, north side, 145 ft. 2 in. west of Montgomery street (Block No. 245, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred Dahlem.

For Opposition: Robert J. Kelleher.

ACTION OF BOARD—Laid over pending hearing by the Board on Cal. No. 687-40-BZ.

438-40-A.

APPLICANT—Michael Savarick, lessee, for Nathan Stern, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1008 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., on written request and for inspection by a committee of the Board.

444-40-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—149 Congress street, 359-363 Henry street, 120-122 Amity street, 115-121 Amity street and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6, 10 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 2, 1940, at 2 P.M. No appearances made on behalf of applicant.

493-40-A.

APPLICANT—Lauritz Lauritzen, for Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101-103 Greene avenue, northeast corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

ACTION OF BOARD—Laid over to July 2, 1940, at 2 P.M., for further consideration by the Board.

509-40-A.

APPLICANT—Klin Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Harold Riegelman.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., on request of appellant's representative.

525-40-A.

APPLICANT—Oxford Filing Supply Company (lessee), for Paulruth Trading Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board. Appellant to be notified.

547-40-A.

APPLICANT—S. Millman and Son, for 233 South Third Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

577-40-A.

APPLICANT—Zora Realty Corporation, owner.

SUBJECT—Appeal from a decision—re a violation of the acting borough superintendent of buildings.

PREMISES AFFECTED—721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: James A. Byrne.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 2, 1940, at 2 P.M., for further consideration by the Board.

593-40-A.

APPLICANT—Dora Ginsberg, Benjamin Ginsberg, Harry Ginsberg and Morris Ginsberg, co-partners, d/b/ as Lincoln Associates, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Cherry avenue, 92 ft. east of Kissena boulevard (Block No. 5192, driveway part of Lot No. 34 and inside part of Lot No. 27), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Schlesinger.

ACTION OF BOARD—Laid over pending hearing by the Board on Cal. No. 592-40-BZ.

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597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and, also, for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Owner: David Millman.

ACTION OF BOARD—Laid over to July 12, 1940, at 10 A.M., on request of appellant's representative.

603-40-A.

APPLICANT—Pasquale Falco, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—269 Avenue C, west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

606-40-A.

APPLICANT—Samuel Hellerman, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frances Hellerman.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

654-40-A.

APPLICANT—Adina Chaleff, for Harold Lewis, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1017 Avenue K, north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Adina Chaleff.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

656-40-A.

APPLICANT—Joseph Obstler, for Brooklyn Improvement Company, owner (Dale Coal and Coke Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—38-42 Second avenue, west side, Sixth street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Obstler and F. F. Apted.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., to allow Board to study records of the Building Department and Fire Department.

458-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—32-06 215th street, west side, 246.03 ft. north of 32nd road, and 32-05 214th place, east side, 218.72 ft. north of 32nd road (Block No. 6066, part of Lot No. 1), Bayside, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Frank C. Keller and Harry Neislaus.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

459-40-A.

APPLICANT—Frank C. Keller, for Weeks Woodlands, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—32-05 215th street, east side, 245.72 ft. north of 32nd road, and 32-06 215th place, west side, 244.83 ft. north of 32nd road (Block No. 6067, part of Lot No. 1), Bayside, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Frank C. Keller and Harry Neislaus.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

621-40-A.

APPLICANT—William Hamby and George Nelson, for Mills Land Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—17 East 65th street, north side, 89 ft. west of Madison avenue (Block No. 1380, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: B. F. Klebold.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

MINUTES

655-40-A.

APPLICANT—Tannenbaum and Eisen, for Midland Store Builders, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1-9 West Third street, northeast corner of Mercer street (Block No. 535, part of Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert Tannenbaum.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(655-40-A)

WHEREAS, in the opinion of the Board the buildings as proposed to be altered, as shown on plans filed with Alt. Applic. No. 1469 to 1473-40, inclusive, do not constitute a single multiple dwelling and should not be considered under the requirements of the Multiple Dwelling Law.

Resolved, that the application be and it hereby is *withdrawn* by the applicant.

858-39-A.

APPLICANT—The Trustees of the Sailors' Snug Harbor in the City of New York, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—850 Richmond terrace, south side, from Tysen street to Kissel avenue (Block No. 76, Lot No. 1), Livingston, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(858-39-A)

WHEREAS, the Trustees of the Sailors' Snug Harbor in the City of New York, owner, filed June 26, 1939, an appeal from an order of the fire commissioner; premises 850 Richmond terrace, south side, from Tysen street to Kissel avenue (Block No. 76, Lot No. 1), Livingston, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, Order No. 16994-LC, dated May 1, 1939, reads:

"Before a permit may be issued for your refrigerating plant, following must be done:

Remove or cut off the refrigerating system from the building or parts of the building, by unpierced fireproof construction.

NOTE: SO² used in 3 refrigerating machines."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 2, 1939; and

WHEREAS, building is basement and two stories (41 ft. 7 in.) in height, 191 ft. by 37 ft. in area; of Class 3 construction; equipped with a standpipe and sprinkler system; located in a business use C area district; erected in 1852, and occupied: sub-cellar, vacant; basement, dispensary, bath and dining rooms, no persons; first story, wards and living rooms, 23 persons; second story, wards and dining rooms, 44 persons; attic, vacant; and

WHEREAS, the order of the fire commissioner refers to utility room, Ward No. 1, dispensary, doctors' dining room, Hospital No. 1 and Hospital Building No. 1; and

WHEREAS, the applicant contends that the three refrigerating machines referred to are small household or apartment house size General Electric refrigerators containing less than six pounds of refrigerant each and hermetically sealed units; that each installation is in a separate room having at least one window to the atmosphere and with doors that may be closed and locked; that although none of the rooms are classed as diet kitchen or laboratory, one refrigerator is used for storage of foods and two for preservation of medical supplies, thus performing the same functions expected in so-called diet kitchens and laboratories.

Resolved, that the order of the fire commissioner, Order No. 16994-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the refrigerating units shall not exceed three (3), as proposed; that such units shall be of the hermetically sealed type, each having not more than six pounds of refrigerant; that each installation shall be in a separate room having at least one opening to the outer air with a reasonably tight-fitting and self-closing door.

195-40-A.

APPLICANT—Lillian R. Lipsitz, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1741 Victory boulevard, northwest corner of Winthrop place (Block No. 350, Lot No. 1), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Lillian R. Lipsitz.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(195-40-A)

WHEREAS, Lillian R. Lipsitz, owner, filed February 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1741 Victory boulevard, northwest corner of Winthrop place (Block No. 350, Lot No. 1), West New Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. 70-40, dated February 8, 1940, reads:

"Your application for a permit to cut a doorway from store to hallway, is hereby denied for the following reasons:

(1) An opening to the interior of the structure in the first story is contrary to Section 6.4.1.11, Par. 3 of the Building Code as stairway does not continue to roof.

(2) An opening to the commercial occupancy on the first floor is contrary to Section 6.1.2.2.5, Par. a of the Building Code as the required means of egress from second story is a single stairway."

and

WHEREAS, the building is of non-fireproof construction, two stories (26 ft.) in height, 40 ft. by 110 ft. in area at first story level and 40 ft. by 50 ft. in area above; erected in 1938; located in a business and residence use D area district, and occupied: cellar, ordinary use; first story, two stores and garage; second story, one family; and

WHEREAS, the applicant contends that the possibility of fire is remote; that the opening which it is proposed to cut will be protected with a self-closing fireproof door of the same fire-resistive rating as the stairhall and enclosing walls; that the entire building is occupied by the owner; that the proposed door is necessary to the owner to provide direct

MINUTES

access between the store and apartment so as to avoid going outdoors in inclement weather; that there is an iron ladder on the second story leading to scuttle; that the store ceiling is fire-retarded.

Resolved, that the decision of the borough superintendent of buildings, on B.N. 70-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the door openings as proposed in the wall enclosing the primary means of exit for private access to the store, on condition that this door shall be not less than a one-hour fire-resistive rating door, and granted only so long as the store and floor above are occupied by the same tenant as store and residence occupancy, and that the garage in the rear shall be used solely as accessory to the residential occupancy; that any door opening therefrom into the store shall be fireproof and self-closing, all as shown on plans originally filed and approved by the Building Department under N.B. Applic. No. 36-38 and B.N. 70-40.

226-40-A.

APPLICANT—Walter H. Schneider, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—95-14 106th street, west side, 175 ft. south of 95th avenue (Block No. 9287, Lot No. 15), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(226-40-A)

WHEREAS, Walter H. Schneider, owner, filed March 1, 1940, an appeal from a decision of the fire commissioner; premises 95-14 106th street, west side, 175 ft. south of 95th avenue (Block No. 9287, Lot No. 15), Ozone Park, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated January 31, 1940, reads:

"With reference to your letter of January 3, 1940, in which you make application for permission to install one domestic oil burner, Korth, Model E, I have to advise that we have no record that this type of burner has been approved by the Board of Standards and Appeals.

Unless such burner is approved by the Board you will be restrained from making this installation."

and

WHEREAS, the building is two and one-half stories (30 ft.) in height, 30 ft. by 30 ft. in area; of Class 4 construction; located in a residence use D area district; erected prior to 1898, and occupied as a dwelling; and

WHEREAS, the applicant contends that this appeal is filed for the purpose of legalizing a two-year-old installation of a "Silent Korth" oil burner, manufactured under Serial No. 5354, Model E, Underwriters' Approval No. 1252227, and equipped with Minneapolis-Honeywell controls; that the approval of this model burner was requested under Cal. No. 136-34-SA by other than the applicant; that such request for approval was discontinued; that the burner has been in efficient operation for over two years; that it is proposed to make the installation comply with the law in all respects; and

WHEREAS, on the request of the Board, inspection of this installation was made by Inspector Johnson of the Division of Combustibles of the Fire Department, who reported that

the burner in question is identical with the Silent Korth Oil Burner already approved and that inspection of the appliance shows that it complies with the Oil Burner Rules.

Resolved, that the decision of the fire commissioner, dated January 31, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that this installation shall in all other respects meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals; that this approval is for this specific installation only and shall not be deemed a general approval of the Silent Korth Oil Burner, Model E.

383-40-A.

APPLICANT—William L. Kaplow, for Mather Gaver, owner (David Gaver and Sons, lessee).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. Gaver and William Kaplow.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(383-40-A)

WHEREAS, William L. Kaplow (David Gaver and Sons, lessee), for Esther Gaver, owner, filed April 12, 1940, an appeal from a decision—re an order of the fire commissioner; premises 62-66 Glenmore avenue, south side, 50 ft. west of Watkins street (Block No. 3506, Lot Nos. 17 and 18), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 82207-LC, dated January 11, 1940, reads:

"1. Provide a separate and distinct system of *automatic sprinklers* throughout building having at least one source of water supply, arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated March 15, 1940; and

WHEREAS, the building is three stories (38 ft.) in height, 40 ft. by 40 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1893, and occupied since 1923 for the storage of wool clippings throughout by a total of two persons; and

WHEREAS, the applicant contends that the building is unheated and occupied solely for the storage of wool clippings; that the amount of loose wool clippings stored is about 300 pounds; that the balance is baled; that these clippings are not highly combustible; that the building is equipped with adequate exits and fire-fighting appliances; that the ceilings and hallways are covered with tin; that there are no openings between floors; that there are no adjoining buildings; that there is a fire hydrant directly in front of the premises; that the present occupancy is not hazardous; that it is proposed to provide such portable fire-fighting appliances as the fire commissioner may direct, or in lieu thereof, to discontinue the use of the top story, so that the building may be considered for practical purposes a two-story building; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 82207-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall remain substantially as set forth; that exits shall be maintained as shown on revised plans marked "Received

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June 24, 1940"; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no cotton or paper shall be stored on the premises, and that not more than 300 pounds of loose wool clippings shall be on the premises at any one time.

550-40-A.

APPLICANT—S. Millman and Son, for Daniel Kasdan, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(550-40-A)

WHEREAS, S. Millman and Son, for Daniel Kasdan, owner, filed May 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 786 Miller avenue, west side, 95 ft. south of Hegeman avenue (Block No. 4327, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 302-40, dated April 4, 1940, and redened May 20, 1940, reads:

"2. Provide direct exit to street from new cellar club rooms. Sec. 6.2.1, Code.

4. Cellar ceiling to be fire-retarded as per Sec. 10-11, Code."

and

WHEREAS, the building is two stories and basement (24 ft.) in height, 20 ft. 4 in. by 58 ft. in area; of Class 3 construction; erected in 1929; located in a business and residence use D area district; proposed to be occupied: basement, social club and storage, 22 persons; first story, one family; second story, one family; and

WHEREAS, the applicant contends, as to Objection No. 2, that instead of one means of egress leading directly to the street, it will also lead to a 9 ft. 8 in. driveway at a point 4 ft. 2 in. from the street; that the entrance door is 2 ft. 4 in. wide instead of the required 3 ft.; that to require an additional exit would involve structural changes and considerable expense; that the boiler-room ceiling is fire-retarded on 4-inch terra cotta blocks; that the boiler-room is equipped with a self-closing fireproof door; that the ceiling over the club room portion is lath and plaster and kept painted; that the proposed club will be a membership organization having a very small attendance; that the purpose of the change in use is to provide additional revenue for the owner; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is affirmed and that the appeal be and it hereby is denied.

570-40-A-WF.

APPLICANT—George Hollis (lessee), for Mariantonia Marrone, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—109-23 World's Fair boulevard (Horace Harding boulevard), northwest corner of

Waldron street (Block No. 1969, Lot Nos. 7-9 and 11), Corona, Borough of Queens.

APPEARANCES—

For Applicant: William J. Clegg.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(570-40-A-WF)

WHEREAS, George Hollis, lessee, for Mariantonia Marrone, owner, filed May 27, 1940, an appeal for permission to erect a sign other than on the face of the building within the World's Fair area as cited in the decision of the borough superintendent of buildings; premises 109-23 World's Fair boulevard (Horace Harding boulevard), northwest corner of Waldron street (Block No. 1969, Lot Nos. 7-9 and 11) Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 2931-40, dated May 2, 1940, reads:

"1. The erection of a sign on other than the face of a building located within the World's Fair area is contrary to Section 4 of the World's Fair Resolution."

and

WHEREAS, the premises consist of a plot 146.62 ft. by 71.55 ft. in area, on which there has been erected a one-story, Class 5 building, occupied as a dining car; and

WHEREAS, it is proposed to erect upon the site a 6 ft. by 5 ft. illuminated sign, on a post standard located inside the building line, the sign to extend 8 ft. beyond the building line and to be 8 ft. above grade, as shown on plans filed in Misc. App. No. 2931-40; and

WHEREAS, the applicant contends that to attach the proposed sign to the building would mar and affect its beauty and would not serve the purpose of the lessee, which would be served best by hanging the sign from a pole as proposed.

Resolved, that the decision of the borough superintendent of buildings, on Misc. Applic. No. 2931-40, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the erection of the sign as proposed, on condition that no portion of the sign shall extend beyond the building line.

615-40-A.

APPLICANT—S. Millman and Son, for Flatbush Federal Savings Loan Association, owner (John McGinley, Jr., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2035 Flatbush avenue, northeast corner of Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(615-40-A)

WHEREAS, S. Millman and Son, for Flatbush Federal Savings Loan Association, owner, filed June 7, 1940, an appeal from a decision of the borough superintendent of buildings; premises 2035 Flatbush avenue, northeast corner of

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Baughman place (Block No. 7867, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 1253-40, dated June 5, 1940, reads:

"1. Proposed frame building within the fire limits is contrary to Sec. 4.1.2 of the Code."

and
WHEREAS, the building is one story (9 ft.) in height, 20 ft. by 20 ft. in area, on a lot 25 ft. by 30 ft. in area; of Class 4 construction; located in a business use C area district; proposed to be occupied as a restaurant, 12 persons; and

WHEREAS, Violation No. 2203-40 was issued May 22, 1940, for moving the building to the proposed location without a permit; and

WHEREAS, the applicant contends that the structure is small and would not constitute a great fire hazard; that the building was formerly located on the southeast corner of Flatbush avenue and Lott place, two blocks away, for which Permit B.N. 374-39 was issued June 30, 1939; that the building was moved to the new location in the belief that it could be erected thereon; that the building will be surfaced with metal on all sides; that the operation of this building is the only means of livelihood for the lessee, and failure to receive permission to use same would constitute a great financial loss and extreme hardship; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

616-40-A.

APPLICANT—Lymo Drug Corporation (lessee), Max Mogil, President, for Nivelles Corporation, owner.

SUBJECT—Appeal from a decision—re violation of the acting borough superintendent of buildings.

PREMISES AFFECTED—55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton E. Goldman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(616-40-A)

WHEREAS, Lymo Drug Corporation (lessee), Max Mogil, President, for Nivelles Corporation, owner, filed June 7, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 55 Fifth avenue, northeast corner of East 12th street (Block No. 570, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings, on Violation No. 6019-39 and E.S. Applic. 118-40, dated May 14, 1940, reads:

"On January 25th, 1940, electric sign application 118-40 was approved by this department for sign on front of building described in application as follows:

Sign 1 ft. high x 1 ft. long.

Sign 1 ft. high x 10 ft. long—17 sq. ft. in area.

Individual Neon letters, fastened to front of building, parallel to the wall.

Approval of this application was in error on the part of an inspector of this department. Illuminated signs are prohibited by ordinance on 5th Avenue between 12th and 13th streets; subsequent to the above approval,

document M32508 Permit No. 19339 was approved January 26th, 1940.

You are, therefore, notified that the above permits and approvals are hereby revoked and the sign is required to be removed."

and

WHEREAS, the building is eighteen stories (180 ft.) in height, 131 ft. 6 in. by 150 ft. in area; of Class 1 construction; erected in 1911; located in a business use B area district; occupied throughout as stores and offices; and

WHEREAS, the applicant contends that the lessee operates a drug store on the premises; that such premises have been used as a store since 1911; that an illuminated sign has been maintained on said store since its erection; that all other stores in the building maintain electric signs of a similar nature; that a permit for this sign was issued January 26, 1940, and the applicant relying on said permit incurred a legal obligation of \$400; that the administrative code accepts signs in use and in conjunction with the business at the time of the adoption of the ordinance.

Resolved, that the decision of the acting borough superintendent of buildings, on E.S. Applic. No. 118-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sign shall be maintained as proposed and shall not extend beyond the building line for a distance of more than 3 in.; that this modification shall continue only so long as the existing signs are maintained and are not increased as to area and lettering; that in all other respects the signs shall comply with all laws, rules and regulations applicable thereto.

624-40-A.

APPLICANT—Violet Lewis, for Violet Lewis and Margaret Lewis, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Violet Lewis.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(624-40-A)

WHEREAS, Violet Lewis, for Violet Lewis and Margaret Lewis, owners, filed June 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 90-36 198th street, west side, 300 ft. south of 90th avenue (Block No. 10466, Lot No. 56), Hollis, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Misc. Applic. No. 4216-40, dated June 4, 1940, reads:

"Records of this dept. N.B. 10597-27 show premises erected in 1927 as a frame dwelling; proposed use of same as a school is contrary to Sec. 4.2.1. B.C."

and

WHEREAS, the building is two stories (30 ft.) in height, 22 ft. by 45 ft. in area; of Class 4 construction; located in a residence use D area district; erected in 1927, and occupied: cellar and first story, one family; second story, private school, 25 persons; attic, vacant; and

WHEREAS, the applicant contends that a school has been operated in this building for the past thirteen years; that fire extinguishers have been installed as requested by the Fire Department's inspectors; that a fire escape can be installed from the rear bridge of the second story classroom

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to grade; that the local firehouse is located 300 ft. distant; that the roof is surfaced with slate shingles; the upper half of the building is surfaced with asbestos shingles; that the lower half is frame clapboard; that efforts have been made to secure another building in the neighborhood suitable for use without avail; that it will be a hardship upon the owners to be compelled to discontinue the use at the present time; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, on Misc. Applic. No. 4216-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed school shall be maintained only on the first story; that if it is necessary to extend the building for the purpose of adding toilet facilities, such extension may be constructed complying with the requirements of the Building Code as to construction for residence building outside of the fire limits; that otherwise the building shall not be increased in height or area; that the second and attic stories shall be occupied only by the owner of the premises and operator of the school; that the cellar ceiling shall be fire-retarded throughout; that the oil burner shall meet the requirements of the Administrative Code therefor and shall be of a type as approved by the Board of Standards and Appeals; that the exits from the first story shall consist of the main exit leading directly to 198th street and an entrance leading to the side yard; that fabric hung on walls shall be flameproofed in accordance with the rules of the Board; that such portable fire extinguishers shall be maintained as the fire commissioner shall direct; that the premises shall be subject to a legal license issued by the State Regents; that the number of children in the school shall at no time exceed twenty-five.

634-40-A.

APPLICANT—Croker Fire Prevention Corporation, for Doehler Die Casting Company, owner (Art-Tex Adhesive Products, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street, south side, 105 ft. east of Court street (Block No. 476, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(634-40-A)

WHEREAS, Croker Fire Prevention Corporation, for Doehler Die Casting Company, owner, filed June 10, 1940, an appeal from an order and a decision of the fire commissioner; premises 499-505 Court street, 185-197 West 9th street and 182-202 Huntington street, south side, 105 ft. east of Court street (Block No. 476, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 83518-LC, dated April 24, 1940, reads:

"With reference to your application dated April 5, 1940, for a permit to store varnoline, driers, etc., to be used in the manufacture of coating preparations at premises 193-97 West 9th Street, Brooklyn, please be advised that the Fire Department is without power to issue such a permit for the following reason::

A recent inspection of these premises shows same to be occupied as a tenant factory, wherein dry goods (dresses) are manufactured.

Section C-19-85.2, of the Administrative Code states that no permit for the manufacture, mixing or compounding of paints, varnishes, lacquers, shall be issued for any premises which are occupied as a tenement house, dwelling, hotel, work-shop or factory.

Section C-19-85.5, of the Administrative Code states that no permit for the manufacture of paints, varnish or lacquers, shall be issued for any premises where dry goods or other highly inflammable materials are manufactured, stored or kept for sale.

"1. You are, therefore, ordered to remove all varnoline, perilla oil, whiting, etc., from the premises and to discontinue the further manufacture of coatings on the premises."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 4, 1940; and

WHEREAS, the building is seven stories (85 ft. 9½ in.) in height, 95 ft. by 45 ft. and 200 ft. in area; of Class 1 construction; equipped with a sprinkler system; erected in 1918; located in an unrestricted use B area district, and occupied: cellar, storage and engine room; first story, paint manufacture, 10 persons; second story, oil burner assembly, packing and stock room, 26 persons; third story, paper and cardboard storage, 1 person; fourth story, printing, 5 persons; fifth story, manufacture of ladies' underwear, 55 persons; sixth story, manufacture of slide fasteners; seventh story, manufacture of picture frames and tea bags; and

WHEREAS, the applicant contends that the product manufactured on the portion of the premises affected by the order is "Ovakal", which has been classified as paint by the Fire Department; that this product consists of pigment, water, varnish and varnoline, none of which is manufactured on the premises; that the manufacture of this product is limited to the first story extension of the premises; that the entire group of buildings is protected by a two-source sprinkler system; that the tenant has been manufacturing water paint and kalsomine, casein powder paint and casein paste paint for the last ten years; that the product in question was presented as a new item to be applied directly over kalsomine without the necessity of washing off the original kalsomine; that it would be natural for this firm to include same in their line, as to omit this product would seriously threaten the kalsomine business; that in view of these facts it is requested that a modification be granted so as to permit the manufacture of "Ovakal" on the premises.

Resolved, that the order of the fire commissioner, Order No. 83518-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one (1) 55-gallon drum of varnish and one (1) 55-gallon drum of varnoline shall be maintained on the premises and that such material shall be stored on the first story where indicated, on a suitable iron rack, and shall be fitted with a hand pump of the type approved by the National Board of Underwriters or Factory Mutual Laboratories; that such amount of each as is required for daily manufacturing operations shall be stored in an approved safety can of not over five gallons capacity; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

660-40-A.

APPLICANT—Anthony J. DePace, for Arnold Costabile, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—678 East 232nd street, south side, 180.20 ft. west of White Plains avenue (Block No. 4834, Lot No. 82), Borough of The Bronx.

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APPEARANCES—

For Applicant: Arnold A. Costabile, Anthony Librento and John A. DePace.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(660-40-A)

WHEREAS, Anthony J. DePace, for Arnold Costabile, owner, filed June 19, 1940, an appeal from a decision of the borough superintendent of buildings; premises 678 East 232nd street, south side, 180.20 ft. west of White Plains avenue (Block No. 4834, Lot No. 82), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 470-40, dated June 17, 1940, reads:

"1. Proposed moving of frame building from one location inside the fire limits to another location inside the fire limits, is contrary to Sec. 4.1.7 of the Building Code."

and

WHEREAS, the building is two and one-half stories (30 ft. 4 in.) in height, 26 ft. 1 in. by 66 ft. 11 in. in area; of Class 4 construction; located in a residence use C area district, and occupied: cellar, boiler-room; first story, waiting rooms, kitchen, X-ray, fluoroscope room and operating room; second story, bedrooms; attic, bedrooms; and

WHEREAS, the applicant contends that the owner was ordered by the federal authorities to vacate the building at its present location by June 23rd so that the new post office could be erected on the site; that to erect a new residence building on the plot would require at least four months time, which would create a hardship to the owner's practice of medicine thereon; that there are no buildings available in the neighborhood for the proposed use.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 470-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that in all other respects the building and occupancy shall comply with the zoning resolution and all other laws, rules and regulations applicable thereto as applied to residential buildings outside of the fire limits.

1062-38-A.

APPLICANT—Philomena Rao, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the borough superintendent of buildings (previously dismissed for lack of prosecution).

PREMISES AFFECTED—3824 Avenue H, south side, 112 ft. east of East 38th street (Block No. 7742, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Salvatore Rao and A. S. Lamanna.

ACTION OF BOARD—Appeal reopened, restored to Calendar, and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1062-38-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, premises 3824 Avenue H, south side, 112 ft. east of East 38th street (Block No. 7742, Lot No. 45), Borough of Brooklyn, was dismissed for lack of prosecution July 18, 1939; and

WHEREAS, the owner requested reopening of this appeal and restoration to the Calendar; and

WHEREAS, this appeal was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Appl. No. 1201-40, dated March 29, 1940, reads:

"1. Proposed frame extension increasing width of building within fire limits is contrary to 4.1.5.3 of the Bldg. Code.

2. Openings on lot line are in violation of 10.7.11 of the Bldg. Code."

and

WHEREAS, the building is two stories (24 ft.) in height, 25 ft. by 30 ft. in area; of Class 4 construction; erected in 1935; located in an unrestricted use D area district, and occupied as a two-family dwelling; and

WHEREAS, the applicant contends that it is proposed to erect a frame one-story porch extension.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. No. 1201-40, Items 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the frame extension shall conform in area and height substantially to the plan filed herein and shall be used exclusively by the owner and occupants of the single family building on the premises as a sun porch.

20-39-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, for 512 86th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—502-516 86th street and 8611 Fifth avenue, southeast corner (Block No. 6051, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur F. Winter.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(20-39-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 502-516 86th street and 8611 Fifth avenue, southeast corner (Block No. 6051, Lot No. 17), Borough of Brooklyn, was granted by the Board January 31, 1939, on certain conditions; and

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, lessee, for 512 86th Street Corporation, owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 31, 1939, by adding thereto:

"that in the event the area of the cellar is increased as indicated on plans marked 'Received June 17, 1940', the sprinkler system herein required shall be extended under

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similar requirements and in addition there shall be installed in the paper storage room, receiving space, girls' rest room and kitchen, if any, sprinkler heads which shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet."

535-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Foot of 20th street, 750 ft. offshore, Atlantic Ocean, waters surrounding Coney Island, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(535-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Company, owner, filed April 27, 1939, an appeal from a decision of the fire commissioner refusing to permit the discharge of fireworks from a boat 750 ft. offshore between West 10th and West 37th streets, Coney Island, Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board May 16, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 16, 1939, by adding thereto:

"that in view of the order of the fire commissioner, Order No. 84216-LC, dated June 21, 1940, the terms of the resolution adopted by the Board on May 16, 1939, are hereby extended for one (1) year, subject to similar conditions."

809-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, foot of West Tenth street and McKenzie street, 1,000 ft. offshore, Atlantic Ocean, waters surrounding Coney Island, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(809-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Company, owner, filed June 19, 1939, an appeal from a decision of the fire commissioner, relating to the display of fireworks from a boat to be located 1,000 ft. offshore between West Tenth street and McKenzie street, Atlantic Ocean, Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board July 5, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 5, 1939, by adding thereto:

"that in view of the order of the fire commissioner, Order No. 84218-LC, dated June 21, 1940, the terms of the resolution adopted by the Board on July 5, 1939, are hereby extended for one (1) year, subject to similar conditions."

810-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, between Ebbits street and Doty avenue, 1,000 ft. offshore, New York Bay, waters surrounding Midland Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(810-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Company, owner, filed June 19, 1939, an appeal from a decision of the fire commissioner, relating to a display of fireworks on Lower New York Bay, 1,000 ft. offshore, between Ebbits street and Doty avenue, Midland Beach, South Beach and New Dorp Beach, Borough of Richmond; and

WHEREAS, this appeal was granted by the Board July 5, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 5, 1939, by adding thereto:

"that in view of the order of the fire commissioner, No. 22486-LC, dated June 24, 1940, the terms of the resolution adopted by the Board on July 5, 1939, are hereby extended for one (1) year, subject to similar conditions."

847-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, 1,000 ft. offshore, waters of Atlantic Ocean, surrounding Rockaway

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and Far Rockaway, between Jacob Riis Park and Beach 32nd street, Borough of Queens.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(847-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Company, owner, filed June 23, 1939, an appeal from a decision of the fire commissioner, relating to the display of fireworks from a boat 1,000 ft. offshore between Jacob Riis Park and Beach 32nd street, Rockaway and Far Rockaway, Borough of Queens; and

WHEREAS, this appeal was granted by the Board July 18, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on July 18, 1939, so that as amended the resolution shall read:

“Resolved, that the decision of the fire commissioner, dated June 21, 1940, and as expressed in Order No. 84217-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed advertising display in the form of a rocket shall be discharged on a lighter located a distance of not less than 1,000 ft. from the shore line and limited to the spaces between Beach 35th street to Beach 60th street and Beach 110th street to Beach 125th street, Rockaway Beach; that the discharge shall be from a cylinder mortar properly anchored to the deck or buried in sand, as proposed; that the amount of black powder used for each discharge shall not exceed five ounces; that the discharge shall be directed away from the land; that the operation shall be in charge of a licensed pyrotechnist; that such fire-fighting appliances shall be maintained on deck as the fire commissioner shall direct; that the advertising device in the form of a parachute may be of Japanese paper, but which shall be flame-proof in a manner satisfactory to the fire commissioner; that suitable markers shall be maintained either on shore or in the water to indicate the limits of these display areas; that not more than one boat shall be thus employed and shall traverse these respective areas on alternate days; that this use shall be limited to the season ending October 1, 1940; that no rockets shall be displayed during the time that any boats or tankers carrying gasoline or other combustible materials are within 2,000 ft.”

VARIATIONS OF THE LABOR LAW.

674-40-S.

APPLICANT—George G. Miller, for Chatco Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—333-337 Sixth avenue and 2-8 Cornelia avenue, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

205-40-S.

APPLICANT—The Greenwich Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—149 West 27th street, north side, 205.4 ft. east of Seventh avenue (Block No. 803, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank E. Brower and Louis H. Bendix.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(205-40-S)

WHEREAS, The Greenwich Savings Bank, owner, filed February 26, 1940, an application for a variation of the labor law as cited in a decision of the borough superintendent of buildings; premises 149 West 27th street, north side, 205.4 ft. east of Seventh avenue (Block No. 803, Lot No. 11), Borough of Manhattan; and

WHEREAS, Violation No. 252-39, dated November 15, 1939, reads:

“You will please take notice that there exists a violation of Section 274 of the LABOR LAW at the premises hereinafter described, in that

Safe means of egress from termination of rear fire-escape to street is not provided.”

and

WHEREAS, said order was referred to in a decision dated February 14, 1940, relating to B.N. 209-39, which reads:

“With reference to the above numbered building notice, we wish to advise you that same has been disapproved for the reason that the termination of rear fire escapes not clear and not acceptable as required by Labor Law.”

and

WHEREAS, the building is four stories (50 ft.) in height, 27 ft. 11 in. by 92 ft. in area; of Class 3 construction; located in an unrestricted use B area district; erected in 1898; occupied since prior to 1914 as follows: cellar, storage space in connection with stores on the first story; first story, display of furs, 6 persons; second story, display and sale of furs and skins, 5 persons; third story, manufacturing of flowers, 17 persons; fourth story, stripping and cleaning of furs, 8 persons; the building is equipped with one 3 ft. 6 in. wide open wooden stair leading from the roof to the street, and one fire escape, this fire escape leads to the roof by a stair, thence to the street via an extension of the fire escape from the second story to the roof of the one-story extension of the adjoining building at the east, and thence by fire escape to the yard and rear of No. 140, 142 and 144 West 28th street and through to street; and

WHEREAS, the applicant contends that alteration plan has been filed and work completed, which consisted of the erection and extension of the platform of the fire escape on the rear of the building at the second story level to the roof of the one-story extension at the rear of 147 West 27th street; that egress may be had over the roof of said extension and

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thence by stairway to the yard in the rear of premises 140-144 West 28th street, and thence through the building at 140 West 28th street to the street; that it was necessary to make this alteration as the fire escape formerly terminated in the rear of the premises in a yard 27 ft. by 6 ft. in area, from which the only egress was through the cellar of the building in question; that it is impossible to erect a fire escape on the front of the building as it will not support a legal fire escape since it consists mostly of windows and piers which are not strong enough to support a fire escape; that the plan has been disapproved and the work had been performed pursuant to such disapproved plan; that a variation is requested so as to permit the acceptance of the existing condition as failure to do so would constitute undue hardship on the owner of this building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in a decision of the borough superintendent of buildings, acting on Building Notice No. 209-39, and that the application be and it hereby is *granted on condition* that the second means of exit shall be maintained as proposed by means of a connection from the existing fire escape at the second story level to a platform at the rear of the building, No. 147 West 27th street, and thence by steel stairs in the rear yard with access through first story passageways of the buildings located at Nos. 140, 142 and 144 West 28th street to West 28th street, *on condition* that in all other respects the requirements of the labor law and all other laws applicable to the building and its occupancy shall be complied with and that there shall be filed with the borough superintendent of buildings consents permitting exiting as herein proposed across the premises at No. 147 West 27th street and Nos. 140, 142 and 144 West 28th street; that this variance shall continue only so long as the buildings through which this access is permitted are maintained in good and safe condition; that the roof of the one-story extension at 147 West 27th street shall be protected by approved flame plates under the connecting passageway; that such exit passageways through buildings shall be maintained properly illuminated at all times during which work is done in the building.

APPLIANCES SUBMITTED FOR APPROVAL.

221-34-SA.

APPLICANT—The Ohio Pattern Works and Foundry Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional size, 3 in.—Metropolitan Curb Fill Box, No. 138 for Gasoline, previously approved.

APPEARANCES—

For Applicant: M. A. Monroe.

ACTION OF BOARD—Application reopened and referred to engineer of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

364-34-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re new models, Nos. 165 and 175—re M. W. Oil Burning Range, various models, previously approved.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and referred to engineer of Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

365-34-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re new models, Nos. 21-41—re M. W. Water Heater, previously approved.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and referred to engineer of Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

366-34-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re new models, Nos. 406, 407, 506 and 507—re M. W. Radiant Heater, previously approved, Nos. 611, 612, 614, 711, 712, 714 and 807—re M. W. Circulating Heater, previously approved.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and referred to engineer of Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

912-39-SA.

APPLICANT—General Gas Light Company, owner.

SUBJECT—Humphrey Heat Tower (Gas-Fired Forced Air Heater), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(912-39-SA)

WHEREAS, General Gas Light Company, owner, filed July 7, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Humphrey Heat Tower (Gas-Fired Forced Air Heater); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 24, 1940.

Re: Cal. No. 912-39-SA.

Subject: Humphrey Heat Tower (Gas-Fired Forced Air Heater).

The General Gas Light Company, owner, filed July 7, 1939, an application with the Board of Standards and

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Appeals for approval of the Humphrey Heat Tower (Gas-Fired Forced Air Heater) under the provisions of C26-696.0 a, b, c (11.1.7.1.2.3) and C26-697.0 (11.2.1) and C26-191.0 (2.2.3), Administrative Building Code.

The Humphrey Heat Tower is a gas-fired air heater, designed for heating small homes, offices and stores. It is suited for open room installation or for use with a duct distributing system.

The appliance is constructed as follows:

Input—75,000 B.t.u. per hour.

Output—60,000 B.t.u. per hour.

Burner—A $9\frac{7}{8}$ by 10 in. cast iron burner having 434 ports raised $\frac{1}{4}$ in. No. 31 for natural gas, No. 45 for manufactured gas, with a $1\frac{1}{2}$ in. diameter throat in a $4\frac{1}{8}$ in. injecting tube. Distance from ports to nearest surface up, 8-9/16, down, $4\frac{1}{8}$ in., laterally, $\frac{3}{4}$ in.

Combustion Chamber—A 12-11/16 by 11 $\frac{1}{2}$ in. sheet metal combustion chamber open at front end for secondary air. Top forms a header for the heating element tubes and blower outlet comes around left side.

Heating Element—Consists of nine tubes 2-1/16 in. O.D. by 48 $\frac{1}{4}$ in. long containing a 32 by 1-13/16 in. twisted baffle hanging down from the top in each tube. Tube terminates at top in an 11 $\frac{3}{4}$ by 11 $\frac{3}{4}$ by 1 $\frac{3}{4}$ in. header fastened to top of jacket with a 3 $\frac{5}{8}$ in. I.D. outlet. Element is enclosed on all sides by a radiation shield 51 in. high by 17 $\frac{1}{4}$ by 17 $\frac{1}{4}$ in. beginning $\frac{3}{4}$ in. below warm air outlets.

Jacket—A 91 by 19 by 28 in. 16 gauge sheet metal jacket with bottom open around blower for air inlet. Door has four louvers 3 $\frac{1}{4}$ by 3/16 in. for secondary air and top has four 4 $\frac{7}{8}$ by 9 $\frac{7}{8}$ in. warm air outlets.

Venting—Secondary air enters the four 3/16 by 3/16 in. louvers in door and contacts burner. Products of combustion rise up to top of combustion chamber and enter the nine tubular elements 48 $\frac{1}{4}$ by 2-1/16 in. O.D., rise up tubes around the 32 by 1-13/16 in. twisted inserted baffles into header. Products leave header through the 3 $\frac{5}{8}$ in. I.D. outlet into draft hood and out the 5 in. diameter outlet.

Accessories—A Schoenberger $\frac{3}{4}$ in. main control valve, a Pittsburgh $\frac{3}{4}$ in. double valve regulator, a M.H. V-84 magnetic valve, an Emerson 1/12 H.P. 860 RPM motor, an 8 $\frac{1}{2}$ in. by 9 in. outlet squirrel cage blower, a Klixon limit control.

The principle of operation is as follows: A forced combustion burner of high efficiency burns gas and directs the heat to nine large diameter, heavy gauge vertical radiation tubes. A centrifugal type fan contained in the base of the heater draws air from off the floor and forces it upward and around the radiation tubes where the heat is absorbed. The warm air is directed out into the room through openings at the top of the cabinet. The input rating of the heater is 75,000 B.t.u. per hour and the output is 60,00 B.t.u.

The pilot is lighted and the operation of the appliance is automatic with the turning of the motor switch or setting of a thermostat. A turn of the motor switch starts the fan in operation and simultaneously opens the main gas valve. This supplies gas to the main burner where it is ignited by the pilot. A specially designed Baso Safety Pilot control shuts off the gas both to the pilot and to the main burner in the event the pilot light fails. A positive overload control prevents overheating of the radiation tubes.

A down draft diverter is provided as part of the cabinet. The device has been approved by the American Gas Association, Certificate No. 4-385002.

The burner conforms to the provisions of C26-696.0-a,1,b (11.1.7.1), C26-696.0-c,1,2,3 (11.1.7.3), C26-696.0,d (11.1.7.4) and C26-696.0,e (11.1.7.5) Administrative Building Code.

The device was inspected and tested and approved by a committee of the Board at the office of the applicant at

23 Warren street, New York City, for installation in non-explosive atmosphere locations when installed in accordance with this report and the requirements of the Building Code, on condition that the device bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 912-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Humphrey Heat Tower (Gas-Fired Forced Air Heater), on condition that the appliance be manufactured, used, installed, and labeled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

645-39-SM.

APPLICANT—Reid-Avery Company, owner.

SUBJECT—Raco Welding Electrodes (H.D. No. 7 Shielded Arc), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(645-39-SM)

WHEREAS, Reid-Avery Company, owner, filed May 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Raco Welding Electrodes (H.D. No. 7 Shielded Arc); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 24, 1940.

Re: Cal. No. 645-39-SM.

Subject: Raco Welding Electrodes (H.D. No. 7 Shielded Arc), approval of.

The Reid-Avery Company, owner, filed May 18, 1939, an application with the Board of Standards and Appeals for approval of the Raco Welding Electrodes (H.D. No. 7 Shielded Arc) as manufactured by the applicant at Dundalk, Baltimore, Maryland.

Tests were conducted at the plant of the company at Dundalk, Baltimore, Maryland, in accordance with ASTM Specifications A-205-37 T, and the Fusion Welding Rules of the Board of Standards and Appeals before the testing committee of the Board.

Test samples in all three positions were made up of base metal plates complying with the specifications of ASTM A-7-36, beveled as required. The rod used was 5/32 in. in diameter flux coated and the samples were made as follows:

Flat position—	8 passes
Vertical position—	6 passes
Overhead position—	5 passes

The specimens were then machined and broken in a

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tension testing machine at the applicant's plant with results as follows:

RESULTS OF TESTS

Dimensions of Rod	Position	Tensile Strength P.S.I.	Percent of Elongation on 2 in.
5/32 in. x 14 in.	Flat	74,000	29½
5/32 in. x 14 in.	Vertical	69,500	20
5/32 in. x 14 in.	Overhead	70,000	25

In all cases the rupture was clean and inspection of the broken cross-section showed a complete absence of voids and slag inclusions except for the vertical specimen which showed one small particle of slag inclusion due to the operator rushing the work.

All electrodes tested were "Raco" H.D. No. 7 shielded arc electrodes. The samples met the requirements of the American Welding Society for No. 10 grade which specified a working stress of 60,000 pounds per square inch and an elongation of 20 percent for non-stress relieved specimen. These electrodes are packed in fifty pounds in wood boxes.

On the basis of the foregoing data, the Committee accordingly recommends that flux-coated "Raco" H.D. No. 7 shielded arc electrodes 5/32 in. in diameter and 14 in. in length be approved for use in New York City when used in reversed polarity with direct current as meeting the requirements of Grade 10 of the American Welding Society and Rule 7, subdivision 2, of the Fusion Welding Rules of the Board of Standards and Appeals. It is further recommended that each package of welding rods be tagged, labeled or marked reading as follows: "Approved by the Board of Standards and Appeals for use in New York City, when used in accordance with the Fusion Welding Rules and with reversed polarity, under Cal. No. 645-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Raco Welding Electrodes (H.D. No. 7 Shielded Arc), on condition that the material be manufactured, used and labeled, stamped or tagged in accordance with above report.

1014-39-SM.

APPLICANT—Crane Company, owner.

SUBJECT—Crane Non-Siphon Stop for Flush Valves, One Inch Size, Models C-13325-A, C-13327-A, C-13330-A and C-13332-A, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval denied.

THE VOTE TO APPROVE—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(1014-39-SM)

WHEREAS, Crane Company, owner, filed July 31, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Crane Non-Siphon Stop for Flush Valves, One Inch Size, Models C-13325-A, C-13327-A, C-13330-A and C-13332-A; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 24, 1940.

Cal. No. 1014-39-SM.

Subject: Approval of Crane Non-siphon stop for flush valves, one inch size.

REPORT OF COMMITTEE ON TESTS.

The Crane Company, owner, filed July 31, 1939, an application with the Board of Standards and Appeals approval of the above non-siphon stop for flush valves under the provisions of C-26-2770 h (14.8.2.8) Administrative Building Code.

This unit was inspected by the Committee of the Board and by the Chief Inspector, Department of Water Supply, Gas and Electricity. The unit while termed "non-siphon" is in reality a combined control valve and check valve to regulate the flow to flushometer control units. The unit is not equipped with any provisions to admit atmosphere to relieve a vacuum and therefore could not be considered a vacuum breaker as required by Sect. C26-1277.0 h (14.8.2.8) Administrative Building Code.

It is the judgment of the committee that this unit does not warrant approval under the requirements of the code and approval should be denied.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended that the approval of this material should be denied.

Resolved, that the application for approval be and it hereby is denied.

Adjourned, 6:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

1441-39-SM.

NOTE: In Bulletin No. 22, Vol. 25, issued May 28, 1940, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows:

THE RESOLUTION—

(1441-39-SM)

WHEREAS, Ernest Bocchino (agent), for Exit Safety Device Corporation, owner, filed November 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Safety Type Drop Ladder for Fire Escapes; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 1441-39-SM.

Subject: Safety Type Drop Ladder for Fire Escapes (Exit Safety Device Corporation), approval of.

Ernest Bocchino, agent for the Exit Safety Device Corporation, owner, filed November 27, 1939, an application with the Board of Standards and Appeals for approval of the Safety Type Drop Ladder for Fire Escapes under the provisions of the Multiple Dwelling Law.

This device for which approval is requested (see fig. 1) is a method of protecting the counterbalanced

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weight of a counterbalanced drop ladder from falling to the ground if cable breaks. There is also provided a catch on the side of the drop ladder at the bottom rail of the balcony to hold the ladder in place when not in use. The fire escape and drop ladder and guides on which the drop ladder slides will be constructed in accordance with the Fire Escape Rules of the former Tenement House Department.

manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

98-40-SM.

NOTE: In Bulletin No. 22, Vol. 25, issued May 28, 1940, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows: THE RESOLUTION—

(98-40-SM)

WHEREAS, Dahlstrom Metallic Door Company, owner, filed January 27, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Dahlstrom Three Hour Hollow Metal Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

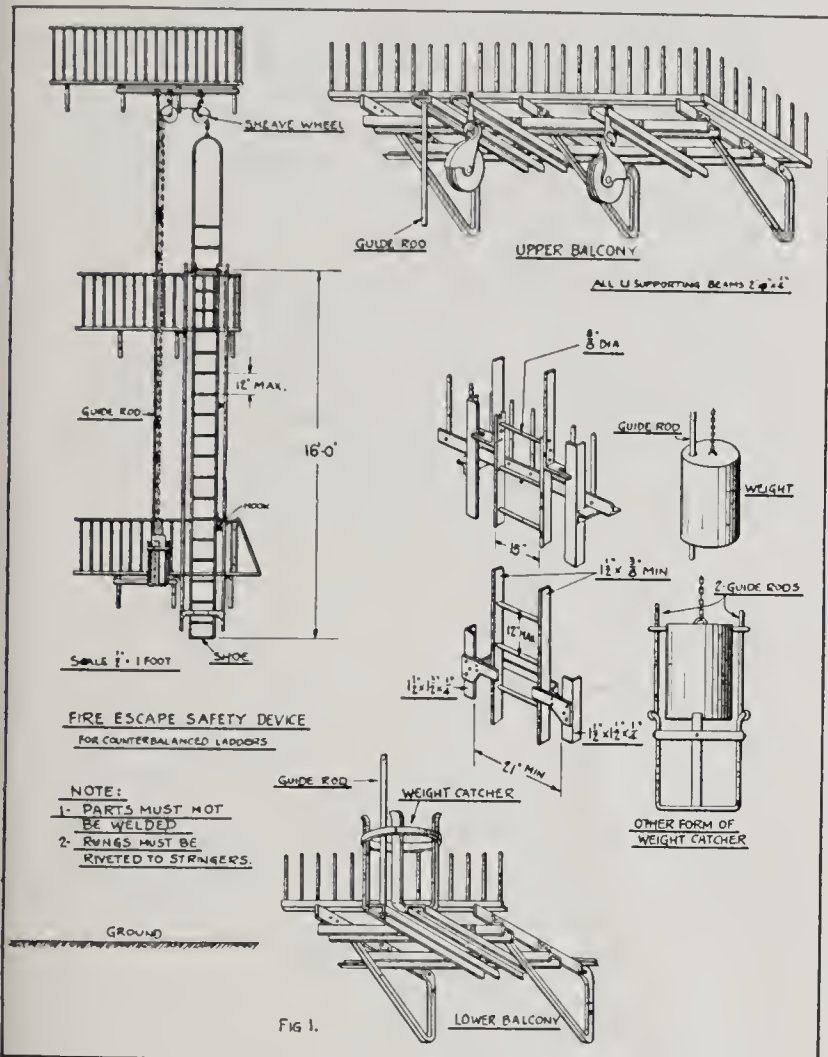
Re: Cal. No. 98-40-SM

May 14, 1940.

Subject: Dahlstrom Three Hour Hollow Metal Fire Door.

The Dahlstrom Metallic Door Company, owner, filed January 27, 1940, an application with the Board of Standards and Appeals for the approval of the Dahlstrom Three Hour Hollow Metal Fire Door, under the provisions of C26-660 (10.8.1), C26-661 (10.8.2), C26-662 (10.8.3) and C26-663 (10.8.4.2), Administrative Building Code, and under the Multiple Dwelling Law.

The test door was constructed, paneled on the unexposed side, and flush on the fire side, with 5 inch stiles and top rail and 10 inch bottom rail, $1\frac{3}{8}$ inches thick; the enclosed panel which was $\frac{7}{8}$ inches thick was flush with stiles and rails on the fire side and recessed back $\frac{1}{2}$ inch from the face of stiles and rails on the unexposed side, but the metal covering bulged approximately $\frac{1}{8}$ inch at the center of the panel. The panel moulding on the unexposed side was 1 inch wide by $\frac{3}{8}$ inch deep. The clear dimensions of the panel on its unexposed side were $2' 3\frac{3}{4}"$ wide and $5' 6\frac{3}{4}"$ high. (See Fig. 1.)



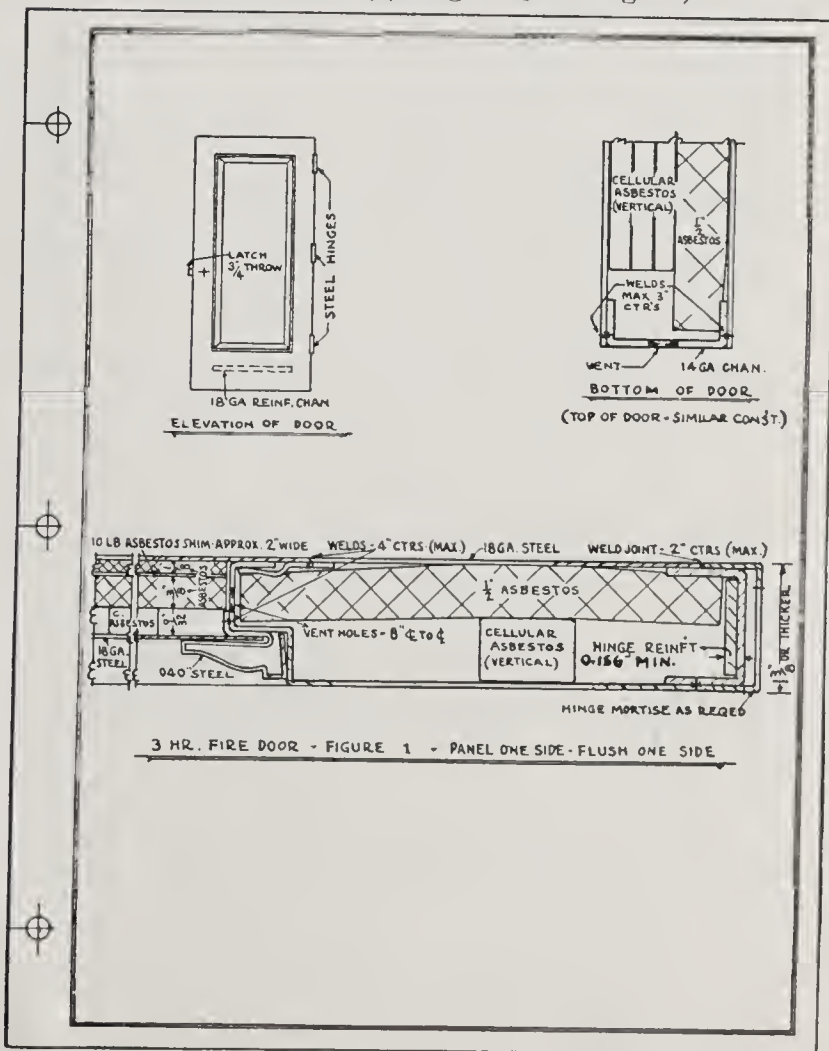
This device was examined at an installation located at 1142 Madison avenue, New York City, on January 18, 1940, where it has been installed for about ten years.

On the basis of the inspection and details submitted, it is recommended that the Safety Drop Ladder for Fire Escapes be approved for installation in New York City when the entire fire escape is constructed in accordance with the requirements of the Multiple Dwelling Law and the Fire Escape Rules adopted thereunder, with the addition of the counterbalanced weight and safety basket, provided that a substantial hook at the top rail plainly visible be exclusively substituted for the patented catch at the bottom rail, and that a permanent label be attached reading: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 1441-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.



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The specifications for the construction of the door were as follows:

The stiles were manufactured of pressed No. 18 U. S. Gauge cold-rolled steel with return to engage in Z-Bar clips welded 4 inches on centers to the panel sheet of No. 18 U. S. Gauge steel forming the flush side of the door which is lapped around the edge for the full $1\frac{3}{8}$ " thickness of door with welds spaced at a maximum of 6 inches.

The recessed panel plate of No. 18 U. S. Gauge cold-rolled steel engaged a groove $\frac{3}{8}$ inch deep in the panel mouldings formed of not less than 0.04 g. steel, which are welded to the return of stiles and rail metal at a maximum spacing of 4 inches on centers.

The two component door side assemblies are joined together and welded on both edges of the door.

The panel of the test door was insulated on the fire side with a sheet of $\frac{1}{8}$ inch and a sheet of $\frac{3}{8}$ inch asbestos mill board separated by 2 inch wide, 10 lb. asbestos shims and wedged away from the unexposed panel side by two strips of cellular asbestos approximately $2\frac{1}{2}$ inches wide, leaving an air space of approximately $\frac{9}{32}$ inch, with a total thickness of panel of $\frac{7}{8}$ inch. This space was vented through stiles and rails on all sides of the panel with vent holes approximately 8 inches on centers. The panel mouldings are of varying profiles to suit architectural requirements, but the basic dimensions of the test construction shall remain standard.

The top and bottom of the door and lock stile were reinforced with No. 14 U. S. G. formed steel channels welded to the face metal of stiles and rails at a maximum spacing of 3 inches on centers on both sides of the door; and the bottom rail was reinforced with an intermediate horizontal No. 18 U. S. G. reinforcing channel.

Stiles and rails were insulated with $\frac{1}{2}$ inch asbestos mill board on the fire side, formed to fit around Z-clips and reinforcing channels and shimmed from the unexposed side with vertical cellular asbestos strips.

Cut-outs are provided at the factory for lock, hinges and other mortised hardware to conform with blue prints or templates. Hinge reinforcements are not less than 0.156 inches and lock reinforcement not less than 0.109 inches thick, properly drilled and tapped and welded into place. The lock sides of stiles are also reinforced with an 18 G. pressed steel channel welded into place. Reinforcement for surface applied door checks are not less than No. 14 G. steel.

Three hour doors are hung in combination frames or bucks of No. 14 U. S. G. and doors of $1\frac{1}{2}$ hour or less rating in combination frames of No. 16 U. S. G. Frames are complete with necessary hardware mortises and reinforcing plates for hinges of not less than 0.156 in. thickness, and for lock strike of not less than 0.109 in. thickness, all securely welded to the jambs. Anchors of not less than same thickness of frame shall be provided on both jambs spaced not more than 25 in. on centers.

In place of combination frames, rough bucks of No. 14 G. steel may be provided, similarly fabricated and reinforced with cabinet jambs and trim of not less than No. 18 G. steel. Casings and scribe mouldings on frames may be of varying profiles to suit architectural requirements either integral with or shipped separately from frames.

Net over-all dimensions of test door, 3 ft. 3-13/16 in. wide by 6 ft. 11 $\frac{5}{8}$ in. high with the following clearances; at top rails $\frac{5}{32}$ in., at bottom rail $\frac{9}{32}$ in., at hinge stile $\frac{1}{8}$ in., and at lock stile $\frac{5}{32}$ in.

Tests were conducted on the assembly at the Protexol Testing Laboratory, Kenilworth, N. J., on April 12, 1940 (Report No. 93 filed with the application) and witnessed by a Committee of the Board. These tests

were conducted in accordance with the requirements of Group 5, Sub. Art. 1 of Art. 10, Administrative Code, titled "Fire Resistive Construction". The test furnace was a brick structure, 10 ft. by 12 ft. by 2 ft., with a swinging frame having an opening of 62 in. by 93 in. for receiving the test door. Firing was by means of gas with hand controls for maintaining proper temperatures.

The tests were conducted in conformity with the Standard Time Temperature Curve, and the record indicates that the temperatures were maintained within the 5% tolerance for the three hours. The average rise of the temperature at the end of forty-five minutes was 583°F, from which the initial temperature of 48°F is subtracted, giving a net increase of average temperature of the unexposed surface of 535°F, which is well within the requirements of C26-610.0 (10.1.18). At the end of three hours, the door was subjected to the Standard Hose Stream Test by means of a water supply from a hydrant through 150 ft. of standard $2\frac{1}{2}$ in. hose, equipped with a nozzle having a smooth $1\frac{1}{8}$ in. bore. The required pressure of 30 lbs. per sq. in. was obtained by checking the tables of the National Board of Fire Underwriters, which required 47 lbs. per sq. in. at the hydrant. This pressure at the hydrant was checked by means of a gauge. The hose stream was directed at the test door for one minute without any appreciable effect except for a slight buckling on lock stile side of the door. After the hose stream test the door was opened and it swung freely on its hinges. It is noteworthy that the insulation performed so well that the temperature rise of the unexposed side of the door was substantially within the permitted 650°F. rise for the entire three hours of testing.

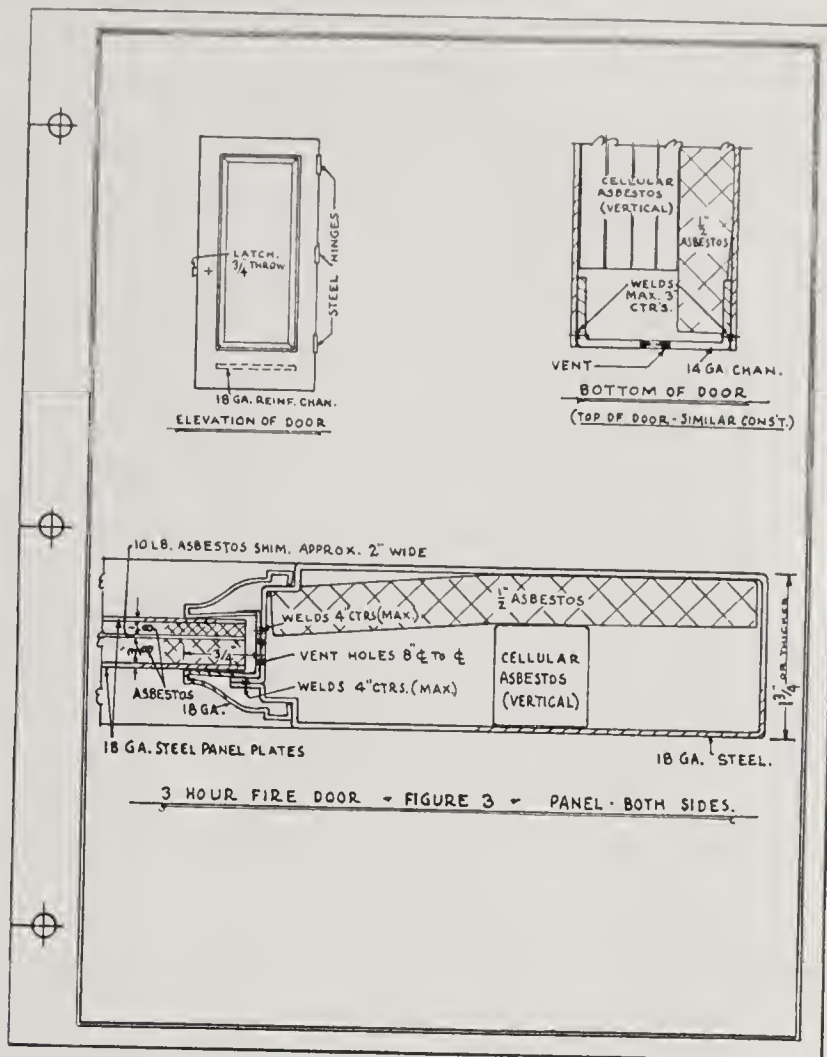
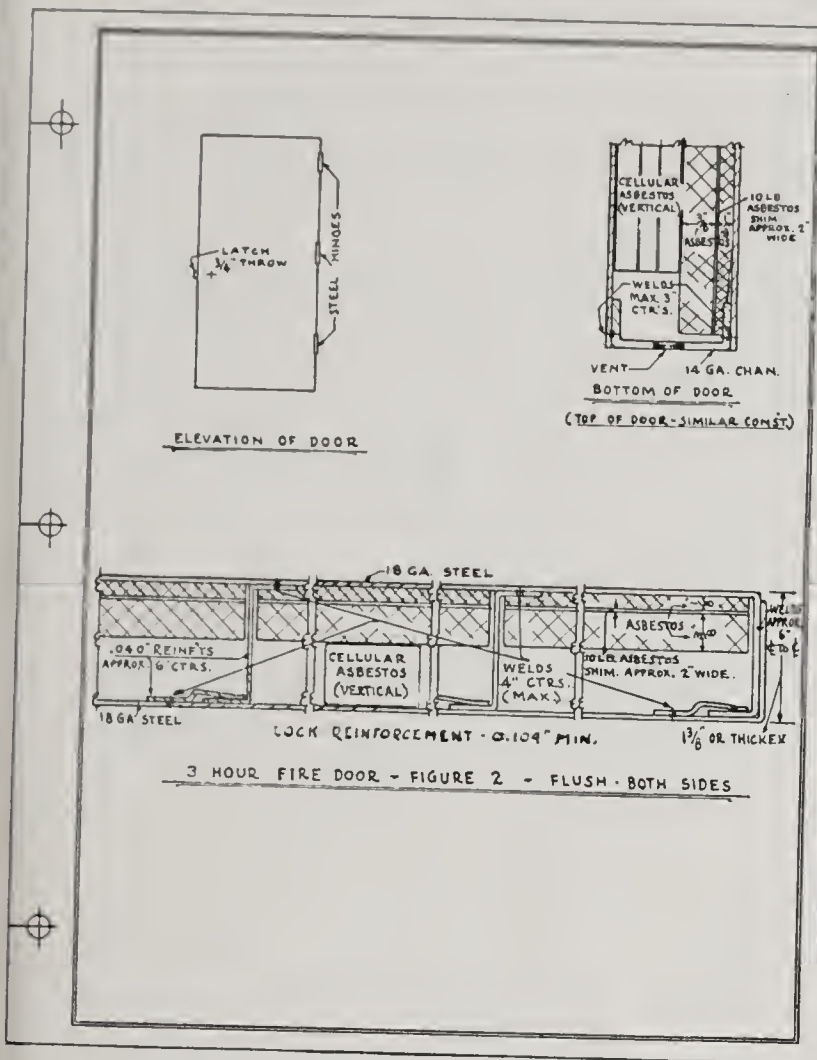
On the basis of the foregoing data and test, the Committee on Tests recommends the approval of the Dahlstrom $1\frac{3}{8}$ in. Hollow Metal Door, Semi-Panel Type (Fig. 1), when constructed and hung and of the size as provided for herein and as shown on Figure 1 for use as an opening protective assembly in fire walls (3 hours) under C26-660.0 (10.8.1), as an opening protective assembly in fire partitions ($1\frac{1}{2}$ hours) under C26-661.0 (10.8.2) and as an opening protective assembly in fireproof partitions ($\frac{3}{4}$ hour) under C26-662.0 (10.8.3) and as an opening protective assembly in a fireproof partition under the Multiple Dwelling Law, which requires an assembly having a fire restrictive rating of one hour.

As a result of the test, the Committee also recommends the approval of the heavier construction of the Dahlstrom $1\frac{3}{8}$ in. Flush Type Hollow Metal Door (Fig. 2) under the same Sections of the Administrative Code as given in preceding paragraph, in fire walls, fire partitions and fireproof partitions, as listed under the recommendations for the $1\frac{3}{8}$ in. hollow metal door, semi-panel type, as given above. The construction shall conform in all respects with the specifications for the test door except that the panel air space shall be increased from $\frac{9}{32}$ in. to $\frac{3}{4}$ in. and not less than four (4) No. 18 gauge reinforcing Z's shall be provided, 6 in. on centers, with a maximum clear spacing at the center of the door not to exceed 15 in.

All reinforcing Z-bars shall be welded both sides at a maximum spacing of 4 in. on centers, and the sheets forming the two halves of the door shall be lapped at the edges and welded at a maximum spacing of 6 in. on centers.

The Committee further recommends the approval of the $1\frac{3}{4}$ in. Dahlstrom Hollow Metal Panel-Type Door (Fig. 3) for use in fire walls, fire partitions and fireproof partitions, as provided for in the recommendations of the $1\frac{3}{8}$ in. hollow metal, semi-panel door, as given above. The construction shall conform in all respects to the test door (Fig. 1) except that a double integra

MINUTES



panel moulding of 18 U. S. G., having a $\frac{3}{4}$ in. recess to receive a panel constructed of a sheet of $\frac{3}{8}$ in. and $\frac{1}{8}$ in. mill board, separated by shims cut from 10 lb. asbestos and protected on both sides with 18 G. panel plates.

This assembly is typical of doors previously tested and approved except that several of the doors which have previously been approved, except that this door (Fig. 3) has a thicker panel of asbestos mill board with an air space, which provides better fire-resistive properties.

All doors shall be of the limiting sizes as provided for herein, except for increases as permitted under C26-610.0 (10.1.18), and in every case for use as a swing door in a single opening. All opening protective assemblies manufactured under this approval shall be inspected and identified as provided for in Rules for the

Inspection of Opening Protective Assemblies of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESTER V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Dahlstrom Three Hour Hollow Metal Fire Door, on condition that the material be manufactured, installed, and labelled, stamped or tagged in accordance with above report.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.

Address all communication to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
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HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET.

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Cal. No. Department. Premises Affected.

731-40-SM.....United Steel Shell Concrete
Filled Column, manufactured
by United Pipe and Supply
Company, Incorporated,
Material.

732-40-BZ....H.B.Bx...3723 Bronxwood avenue, south-
west corner of East 217th
street (Block No. 4675, Lot
No. 83), Borough of The
Bronx, N.B. 447-40.

733-40-A.....H.B.Q.....73-02 192nd street, southwest
corner of 73rd avenue (Block
No. 7178, Lot No. 1), Flush-
ing, Borough of Queens,
N.B. 3863-40.

734-40-A.....H.B.Q.....73-06 and 73-10 192nd street,
west side, 570 ft. and 610 ft.
north of 75th avenue (Block
No. 7178, Lot No. 1), Flush-
ing, Borough of Queens,
N.B. 3855-40 and
N.B. 3862-40.

735-40-A.....H.B.Q.....73-03 192nd street, southeast cor-
ner of 73rd avenue (Block
No. 7179, Lot No. 1), Flush-
ing, Borough of Queens,
N.B. 3630-40.

736-40-A.....H.B.Q.....73-07 and 73-11 192nd street,
east side, 577 ft. and 619 ft.
north of 75th avenue (Block
No. 7179, Lot No. 1), Flush-
ing, Borough of Queens,
N.B. 3864-40 and
N.B. 3865-40.

737-40-A.....H.B.M...794 Columbus avenue and 100-
102 West 99th street, south-
west corner (Block No. 1853,
Lot No. 36), Borough of
Manhattan,
Amendment to Alt. 1206-40.

738-40-A.....H.B.Q.....56-49 and 56-53 187th street,
northeast corner of 58th ave-
nue (Block No. 5673, Lot No.
32), Flushing, Borough of
Queens,
N.B. 4523-40 and
N.B. 4524-40.

739-40-A.....H.B.Q.....56-52 188th street, northwest

corner of 58th avenue (Block
No. 5673, Lot No. 32), Flush-
ing, Borough of Queens,
N.B. 4525-40.

740-40-A.....H.B.Q.....56-42, 56-44, 56-48 and 56-52
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Borough of Queens,
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N. B. 4529-40, inclusive.

741-40-A.....H.B.Q.....58-04, 58-08, 58-12, 58-16, 58-20,
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40, 58-44 and 58-48 188th
street, southwest corner of
58th avenue and west side of
188th street, 100 ft. north of
World's Fair boulevard (Block
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ing, Borough of Queens,
N.B. 4530-40 to N.B. 4536-40,
inclusive, and N.B. 4537-40
to N.B. 4541-40, inclusive.

742-40-A.....H.B.Q.....58-03, 58-07, 58-11, 58-15, 58-19,
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39, 58-43 and 58-47 188th
street, southeast corner of
58th avenue and east side of
188th street, 100 ft. north of
World's Fair boulevard (Block
No. 5692, Lot No. 1), Flush-
ing, Borough of Queens,
N.B. 4547-40 to N.B. 4553-40,
inclusive, and N.B. 4542-40
to N.B. 4546-40, inclusive.

743-40-SA.....Westinghouse Type SC Contact
Appliance

744-40-SA.....Westinghouse Type CH Contact
Appliance

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ington avenue, southeast cor-
ner of Fresh Meadow lar-
(Block No. 5586, Lot No. 1)
Flushing, Borough of Queens
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and 172-19 Effington aven-
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Meadow and Auburndale lar-
(Block No. 5579, Lot No. 1)

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N.B. 4138-40, inclusive.

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N.B. 3880-40, inclusive.

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N.B. 510-40.

749-40-BZ....H.B.Bx...Southeast part of Hart Island, opposite Schofield street, City Island, Borough of The Bronx,
N.B. 511-40.

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755-40-A.....H.B.Q.....58-46 186th street, west side, 440 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens,
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756-40-A.....H.B.Q.....58-57 186th street, east side, 560

ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens,
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757-40-BZ....H.B.Bx...1570 Walton avenue, east side, 53.5 ft. south of Mt. Eden avenue (Block No. 2837, Lot No. 11), Borough of The Bronx,
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758-40-A-MD.H.B.M....50-90 Riverside drive, west side, between West 158th street and West 161st street (Block No. 2135, Lot No. 60), Borough of Manhattan,
N.B. 48-40.

759-40-A....H.B.Q.....264-16 Union turnpike, south side, 127 ft. east of 264th street (Block No. 8681, Lot No. 83), Floral Park, Borough of Queens,
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Zone Viol. 126-40.

760-40-BZ....H.B.B.....226-240 Stone avenue, west side, between East New York avenue and Bergen street, 1607-1611 East New York avenue and 2160-2170 Bergen street (Block No. 1455, Lot No. 46), Borough of Brooklyn,
Alt. 3161-40.

Restored to Calendar.

39-34-BZ....H.B.Q.....Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens, Decision.

484-37-SA.....Stop-Fire Extinguisher, Model 2-X,
Appliance.

443-38-SA.....Bryant Forced Air Heater (Gas-Fired) Models VB-6, VB-8, VB-10 and VB-12,
Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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JULY 9, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 5-40-BZ—Application, January 2, 1940, under section 21 of the building zone resolution, of Jacob Muskin, applicant, on behalf of Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, and Long Island Bus Terminal, Incorporated, owners, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

CAL. NO. 25-34-BZ—Application of Nicholas Drogaris, applicant, on behalf of Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), reopened May 28, 1940, under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret of a building previously extended and granted by the Board, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and sale of soda, ice cream, cigars, cigarettes and tobacco; premises 1188-1196 Ocean parkway and 515-529 Avenue "L", northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

CAL. NO. 379-40-BZ—Application, April 12, 1940, under section 21 of the building zone resolution, of A. Robert Chananie, applicant, on behalf of Frieda Messinger, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and main-

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tenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 227-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of three (3) buildings to be used as hog pens; buildings to be used in conjunction with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 228-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 229-40-BZ—Application, March 1, 1940, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a slaughter house used in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 1419-39-BZ—Amended application, June 7, 1940 (original application, November 17,

1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

CAL. NO. 1420-39-BZ—Amended application, June 7, 1940 (original application, November 17, 1939), of Edward L. Larkin, applicant, on behalf of Arrowhead Inn Corporation, owner, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated); premises west side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

CAL. NO. 385-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3560 Netherland avenue and 566 West 236th street, southeast corner (Block No. 3409-G, Lot No. 492), Borough of The Bronx.

CAL. NO. 386-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Denton Realty Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3215 Arlington avenue, west side, 100.28 ft. north of West 232nd street (Block No. 3409, Lot Nos. 62 and 64), Borough of The Bronx.

CAL. NO. 387-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incor-

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porated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3260 Netherland avenue, east side, 150 ft. south of West 235th street (Block No. 3409-B, Lot No. 148), Borough of The Bronx.

CAL. NO. 388-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 3225 Johnson avenue, west side, 214.73 ft. north of West 232nd street (Block No. 3409-B, Lot Nos. 177 and 179), Borough of The Bronx.

CAL. NO. 389-40-BZ—Application, April 15, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Edward L. Larkin, applicant, on behalf of Riverdale Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of the tenants only; premises 3259 Johnson avenue, west side, 116.67 ft. south of West 235th street (Block No. 3409-B, Lot Nos. 165 and 166), Borough of The Bronx.

CAL. NO. 460-40-BZ—Application, May 1, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Lenox Gardens Building Corporation, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 68-12 Yellowstone boulevard, northwest corner of 68th road, west side of Yellowstone boulevard, from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens.

CAL. NO. 466-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Seelig and Finkelstein, applicants, on behalf of Franklin Gardens, Incorporated, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants

only; premises 118-11 84th avenue, northwest corner of Lefferts boulevard (avenue) and northeast corner of 84th avenue and 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens.

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1940, 2 P. M.

Appeals from Administrative Decisions.

658-40-A—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue): (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

42-40-A—59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn.

594-40-A—77 Elizabeth street, west side, 79 ft. 10 in. north of Hester street (Block No. 238, Lot No. 31), Borough of Manhattan.

1196-39-A—322-324 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot No. 15), Borough of Brooklyn.

558-40-A-WF—135-14 Roosevelt avenue, south side, 70 ft. east of Prince street (Block No. 5036, Lot No. 20), Flushing, Borough of Queens.

1375-39-A—40-06 to 40-10 104th street, northwest corner of 41st avenue (Block No. 1975, Lot No. 18), Corona, Borough of Queens.

733-40-A—73-02 192nd street, southwest corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

734-40-A—73-06 and 73-10 192nd street, west side, 570 ft. and 610 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

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735-40-A—73-03 192nd street, southeast corner of 73rd avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

736-40-A—73-07 and 73-11 192nd street, east side, 577 ft. and 619 ft. north of 75th avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

651-40-A—58-54 and 58-58 187th street, southwest corner of 58th avenue and west side of 187th street, 50 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.

652-40-A—58-53 and 58-57 187th street, southeast corner of 58th avenue and east side of 187th street, 50 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

738-40-A—56-49 and 56-53 187th street, northeast corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

739-40-A—56-52 188th street, northwest corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

740-40-A—56-42, 56-44, 56-48 and 56-52 187th street, northwest corner of 58th avenue (Block No. 5672, Lot No. 26), Flushing, Borough of Queens.

741-40-A—58-04, 58-08, 58-12, 58-16, 58-20, 58-24, 58-28, 58-32, 58-36, 58-40, 58-44 and 58-48 188th street, southwest corner of 58th avenue and west side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

742-40-A—58-03, 58-07, 58-11, 58-15, 58-19, 58-23, 58-27, 58-31, 58-35, 58-39, 58-43 and 58-47 188th street, southeast corner of 58th avenue and east side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens.

JULY 12, 1940, 10 A. M.

Appeals from Administrative Decisions.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

Rules.

639-40-SR—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

JULY 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 417-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of Victor Greiff, applicant, on behalf of Helen Greiff and Lotti J. Greiff, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a one-car garage, accessory to the dwelling on the premises; said garage does not conform with the "G" area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach (Neponsit), Borough of Queens.

CAL. NO. 485-40-BZ—Application, May 7, 1940, under section 7b of the building zone resolution, of Emanuel M. Glick, applicant, on behalf of Methill Realty Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

CAL. NO. 421-40-BZ—Application, April 24, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of W. Goadby Loew and United States Trust Company of New York, trustee of Estate of Charles F. Rowe, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

CAL. NO. 415-40-BZ—Application, April 22, 1940, under sections 7b and 7c of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 193-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution and section 60 of the Multiple

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Dwelling Law, of A. Paul Loshen, applicant, on behalf of Charles Weber, owner, to permit in a residence use district the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appurtenant to a multiple dwelling; garage space is for the use of tenants only; premises 175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 555-27-BZ—Application of Conroy and Hardy, applicants, on behalf of Elizabeth W. Herman, owner, reopened February 14, 1940, under alleged new facts, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Properties, Incorporated, owner, reopened May 9, 1939, for rehearing by order of the court, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 1447-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Marie Hediger, owner, to

permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

CAL. NO. 814-28-BZ—Application of William Reich, applicant, on behalf of John Cestaro, Patrick LaTrace and Joseph Cestaro, owners, reopened October 24, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board); premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

CAL. NO. 436-40-BZ—Application, April 25, 1940, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Mollie Schorr, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 465-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Samuel Gardstein, applicant, on behalf of Madison Arms, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Leferts boulevard (avenue); (Block No. 3322, Lot No 25), Kew Gardens, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in

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a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

438-40-A—1009 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

654-40-A—1017 Avenue "K", north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

656-40-A—38-42 Second avenue, west side, 6th street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.

688-40-A—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

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- 397-40-A—2222 Homecrest avenue, west side, 180 ft. south of Avenue "V" (Block No. 7372A, Lot No. 16), Borough of Brooklyn.
- 564-40-A—2-42 Milford street, southwest corner of Atlantic avenue, and 13-27 Montauk avenue (Block No. 3976, Lot No. 27), Borough of Brooklyn.
- 618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.
- 664-40-A—42-14 West street, southwest side, 125 ft. southeast of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens.
- 693-40-A—474 Johnson avenue, south side, 100 ft. west of Porter avenue (ground floor); (Block No. 2992, Lot No. 25), Borough of Brooklyn.
- 709-40-A—22-11 to 22-19 41st avenue, northwest corner of 23rd street (Block No. 409, Lot No. 1), Long Island City, Borough of Queens.
- 761-40-A—Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City.
- 770-40—10 Gansevoort street, south side, 149 ft. west of West 4th street (Block No. 627, Lot No. 38), Borough of Manhattan.
- 496-40-A—9 Doyers street, west side, 1,615.75 ft. north of Chatham square (Block No. 162, Lot No. 30), Borough of Manhattan.
- 643-40-A—163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 (1167), Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens.
- 648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.
- 653-40-A—103-17 Metropolitan avenue, north side, 160 ft. west of Roman avenue (Block No. 2050, Lot No. 45), Forest Hills, Borough of Queens.
- 692-40-A—402-404 East 101st street, south side, 50 ft. east of First avenue (Block No. 1694, Lot No. 46), Borough of Manhattan.
- 694-40-A—224 Centre street, 165-171 Grand street, southeast corner, and 154 Baxter street (Block No. 235, Lot No. 13), Borough of Manhattan.
- 771-40-A—117-119 West 39th street, north side, 200 ft. west of Sixth avenue (Block No. 815, Lot No. 20), Borough of Manhattan.
- 778-40-A—233-243 Herkimer street, north side, 305 ft. east of New York avenue (Block No. 1862, Lot No. 14), Borough of Brooklyn.
- 779-40-A—1-4 Chatham square and 2 Mott street, northwest corner (Block No. 162, Lot No. 1), Borough of Manhattan.
- 596-40-A—988 Second avenue, east side, 40 ft. north of East 52nd street (Block No. 1345, Lot No. 2½), Borough of Manhattan.
- 737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.
- 764-40-A—92-130 Centre street, 48-82 Baxter street, 121-133 White street and 149-165 Leonard street (Block No. 167, Lot Nos. 1 to 51, inclusive), Borough of Manhattan.
- 780-40-A—28-36 Gold street, 91-101 John street and 1-21 Cliff street (Block No. 76, Lot Nos. 10, 11, 19 and 22), Borough of Manhattan.
- 1101-39-A—597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.
- 662-40-A—252 Varet street and 25 Bogart street, southwest corner (Block No. 3118, Lot No. 16), Borough of Brooklyn.
- 696-40-A—441 New Lots avenue, north side, 25 ft. 4½ in. east of Vermont street (Block No. 3842, Lot No. 31), Borough of Brooklyn.
- 697-40-A—445 New Lots avenue, north side, 45 ft. 5¼ in. east of Vermont street (Block No. 3842, Lot No. 30), Borough of Brooklyn.
- 750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.
- 766-40-A—1-17 South 10th street, north side, 90.83 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn.
- 769-40-A—300-304 First street, southwest corner of Fifth avenue (rear building); (Block No. 969, Lot No. 38), Borough of Brooklyn.
- 773-40-A—437-451 66th street, north side, 307 ft. east of Fourth avenue (Block No. 5827, part of Lot No. 37), Borough of Brooklyn.
- 783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.
- 668-40-A—3187 East Tremont avenue, east side, 48.75 ft. north of Waterbury avenue (Block No. 5351, Lot No. 8), Borough of The Bronx.
- 704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.
- 730-40-A-WF—106-15 Northern boulevard, northwest corner of 107th street (Block No. 1701, Lot No. 73), Corona, Borough of Queens.

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745-40-A—173-02, 173-06 and 173-10 Effington avenue, southeast corner of Fresh Meadow lane (Block No. 5586, Lot No. 1), Flushing, Borough of Queens.

746-40-A—172-03, 172-07, 172-11, 172-15 and 172-19 Effington avenue, north side, between Fresh Meadow lane and Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens.

747-40-A—173-01, 173-05 and 173-09 Effington avenue, northeast corner of Fresh Meadow lane (Block No. 5585, Lot No. 1), Flushing, Borough of Queens.

751-40-A—60-04 to 60-38 Little Neck parkway, southwest corner of 60th avenue (Block No. 8360, Lot Nos. 7-25, inclusive), Bayside, Borough of Queens.

753-40-A—58-34 185th street, west side, 280 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

754-40-A—58-41 185th street, east side, 400 ft. south of 58th avenue (Block No. 5689, part of Lot Nos. 1 and 3), Flushing, Borough of Queens.

755-40-A—58-46 186th street, west side, 440 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

756-40-A—58-57 186th street, east side, 560 ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens.

763-40-A—163-13 to 163-17 Jamaica avenue, north side, 29.89 ft. east of 163rd street (Block No. 9793, Lot No. 11), Jamaica, Borough of Queens.

782-40-A—126-02 to 126-08 Northern boulevard, 33-01 126th street, southeast corner, and 126-01 34th avenue (Block No. 1820, Lot No. 1), Flushing, Borough of Queens.

786-40-A—72-04, 72-08, 72-12, 72-16, 72-20, 72-24, 72-28 and 72-32 Hollis Court boulevard, southwest corner of Richland avenue (Block No. 7226, part of Lot No. 140), Flushing, Borough of Queens.

787-40-A—173-03, 173-07 and 173-11 Fairchild avenue, northwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 1), Flushing, Borough of Queens.

88-40-A—173-04, 173-08 and 173-12 Fairchild avenue, southwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens.

10-40-A—1200 Castleton avenue, south side, 105 ft. west of Roe street (Block No. 211, Lot No. 39), West New Brighton, Borough of Richmond.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

785-40-A—46-55 to 46-59 Metropolitan avenue, north side, 522 ft. east of Newtown Creek (Block No. 2611, Lot Nos. 203 and 206), Maspeth, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8 $\frac{5}{8}$ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

791-40-A—Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City.

792-40-A—1431 Webster avenue, west side, 347 ft. south of East 171st street (Block No. 2887, Lot No. 88), Borough of The Bronx.

793-40-A—56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan.

Variations of the Labor Law.

83-40-S—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

565-40-S—30-30 Thomson avenue, south side, between 30th place (Manley street) and 31st (Mount) street (Block No. 277, Lot No. 1), Long Island City, Borough of Queens.

713-40-S—500-504 Seventh avenue, 201-219 West 37th street, northwest corner, and 214-226 West 38th street (first floor); (Block No. 787, Lot No. 40), Borough of Manhattan.

762-40-S—204 East 56th street, south side, 90 ft. east of Third avenue (Block No. 1329, Lot No. 44 $\frac{1}{4}$), Borough of Manhattan.

781-40-S—11 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue, and 20 West 43rd street (Block No. 1258, Lot No. 21), Borough of Manhattan.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

SEPTEMBER 10, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

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CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner,

reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 24, 1940, 2 P. M.

Appeal from Administrative Decision.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingle, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having garage for more than three (3) motor

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vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JULY 2, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meeting of the Board held on Tuesday morning, June 4, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 4, 1940, were approved as printed in Bulletin No. 24, Vol. 25.

BUILDING ZONE CASES.

1613-17-BZ.

APPLICANT—William Shary, for Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee).

SUBJECT—Application reopened April 9, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station.

PREMISES AFFECTED—107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Shary and Herman Lenitz.

For Opposition: None.

ACTION OF BOARD—Laid over to July 9, 1940, at 10 A.M., for further information as to distance of entrance of park from plot.

1048-22-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Kingleff Holding Corporation, owner.

SUBJECT—Application reopened May 7, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board).

PREMISES AFFECTED—472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lefferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph F. Dusenbury, William E. Anderson and Joseph Prince.

For Opposition: None.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., for further consideration by the Board. Applicant to furnish information as to private restriction.

1232-39-BZ.

APPLICANT—Martyn N. Weinstein, for Beech Haven Estates, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., for further consideration by the Board.

30-40-BZ.

APPLICANT—Herman Kron, for Central Savings Bank, owner (Harry Bluthman, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

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APPEARANCES—

For Applicant: Herman Kron and Harry Bluthman.

For Opposition: Paul P. Meltzer, Nat Glotzer, Joseph Rosenfeld, Morris Bloom and H. Blessing.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

210-40-BZ.

APPLICANT—John D. Connaughton, for Cristina Pelizari, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store).

PREMISES AFFECTED—609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Referred to engineer of Board to set date for hearing; no proof of service filed.

289-40-BZ.

APPLICANT—William H. Fuhrer, for Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension in height of an existing bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: William H. Fuhrer.

For Opposition: William E. Howley.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., for applicant to submit revised plans.

183-40-BZ.

APPLICANT—Benjamin W. Levitan, for Cimiez Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Rosenbaum and B. W. Levitan.

ACTION OF BOARD—Application withdrawn on request of applicant without prejudice to reconsideration in the event the owner of the property desires to join with the owner of the adjoining premises to the south, Lot No. 9, for consideration of the entire plot as a gasoline station, rearranged and reconstructed.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum

Negative

Absent: Deputy Chief Gunn

327-40-BZ.

APPLICANT—Philip Birnbaum, for Oxford Development Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—68-37 Yellowstone boulevard, east side, from 68th drive to 68th road (Block No. 2210, Lot No. 10 and part of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum, A. Kaskel and C. H. Blutman.

ACTION OF BOARD—Application withdrawn on request of applicant after hearing. Applicant to apply for new decision in view of amended building zone resolution.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative

763-38-BZ.

APPLICANT—Herman Kron, for New York Telephone Company, owner (Jacob Goldstein, lessee).

SUBJECT—Application reopened October 17, 1939 (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—728 and 732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Charles L. Fleece and Jacob Goldstein.

For Opposition: M. Arrigatti.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Dunn

THE RESOLUTION—

(763-38-BZ)

WHEREAS, this application, to permit in a business use district, under section 7h of the building zone resolution, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 728 and 732-744 Second avenue, east side, 24.8 ft. south of East 40th street, and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan, was denied by the Board on April 11, 1939, without prejudice to reconsideration, after the World's Fair is opened, if found that there is need for more parking spaces than have been provided; and

WHEREAS, Herman Kron, for the New York Telephone Company, owner (Jacob Goldstein, lessee), requested a reopening and rehearing of the application; and

WHEREAS, this application was reopened by a vote of the Board on October 17, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Second avenue is in a business

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use district; East 39th street and East 40th street are in unrestricted and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 7, 1939, reads:

"Your application for certificate of occupancy, dated November 29, 1939, for the use of the above premises as a parking and storage space for more than five cars has been denied for the reason that premises are located in business district, where this occupancy is prohibited by Section 4 of the Zone Resolution.

You are further advised that the Board of Standards and Appeals also denied an appeal, Cal. No. 763-38-BZ, April 11, 1939."

and

WHEREAS, the premises consist of an irregular plot of ground, having a frontage of 123.5 ft. and 21.6 ft. on Second avenue and 99 ft. on East 39th street; it is proposed to occupy the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

920-38-BZ.

APPLICANT—Lama and Proskauer, for Irving Yarvin, owner.

SUBJECT—Application reopened June 4, 1940, under new facts—reapportionment of lot—(re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously denied—re partly in a residence district and partly in a business use district).

PREMISES AFFECTED—139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Irving Yarvin.

For Opposition: Dorothy Amberman, Mrs. E. Havens and William H. Mills.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn	4
Negative	0

THE RESOLUTION—

(920-38-BZ)

WHEREAS, this application, to permit, partly in a residence use district and partly in a business use district, under section 21 of the building zone resolution, the extension of a gasoline service station, premises 139-21 Springfield boulevard, northeast corner of 140th avenue (Block No. 3746, Lot No. 1), Springfield, Borough of Queens, was denied by the Board February 20, 1940; and

WHEREAS, Lama and Proskauer, for Irving Yarvin, owner, requested a rehearing of the application under new facts; and

WHEREAS, this application was reopened by vote of the Board June 4, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the build-

ing zone resolution show that Springfield boulevard is in a business use district; 140th avenue is in a business and residence use district; 139th avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 6893-1938, dated September 26, 1939, reads:

"1. Proposition to erect a new extension for auto laundry and grease lifts in existing gas station located in residence and business zone constitutes an extension of a non-conforming use and is contrary to article 2, section 4a (46) of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 61.41 ft. on 140th avenue, 70 ft. on Springfield boulevard and a distance of 49.03 ft. along the east lot line; a small irregular shaped area of the plot at the northeast is in a residence use district and the remainder is in a business use district; upon the north portion of the plot is a two-story frame dwelling and a frame two-car garage accessory to the dwelling; upon the 140th avenue front of the plot there is a one-story accessory building to a structure 26 ft. by 44 ft. in area, proposed to be used as an office and lubricatorium; it is also proposed to install two additional pumps and to continue the dwelling, accessory garage and gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution as amended.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c, to permit the reconstruction and rearrangement of the legally existing gasoline service station so as to confine same to the lot, with a frontage along Springfield boulevard of 70 ft. and a frontage along 140th avenue of approximately 61 ft. 6 in., and irregular in shape, *on condition* that the existing accessory building be reconstructed, as indicated on plans filed with this appeal, marked "Received May 13, 1940", so as to include housing over the existing open grease pit; that there shall be no windows or other opening in the wall of this accessory building to the east; that the accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, window frames and sash, door frames and door may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board and the roof is surfaced with approved non-flammable weather surfacing; that the boiler-room shall be separated from the balance of the building by fireproof or fire-resistive construction and enterable only from the exterior; that the balance of the building, where not occupied by accessory building, shall be graded generally to the existing grade of Springfield boulevard and 140th avenue and shall be cement paved; that any existing pumps shall be relocated so that no pump is nearer than 15 ft. to the existing building line of Springfield boulevard and not nearer than 20 ft. to the building line of 140th avenue; that there shall be erected on the northerly lot line from the rear of Springfield boulevard a substantial wall and fence with a masonry base not less than 2 ft. in height and a steel picket fence not less than 2 ft. 6 in. in height for a total height of 4 ft. 6 in.; that the masonry base shall be properly coped; that the sills of windows in the accessory building facing 140th avenue shall be not less than 5 ft. above the sidewalk; that entrances shall be restricted to two (2) from Springfield boulevard of not over 25 ft. in width each and one (1) to 140th avenue, not over 25 ft. in width, with curb cuts opposite of similar width; that no entrance shall be nearer than 5 ft. to the lot lines as extended; that there shall be constructed at the intersection a block of concrete 5 ft. in length along each street and not less than 12 in. in height and which may be triangular in shape; that signs shall be restricted to a per-

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manent sign attached to the accessory building facing Springfield boulevard and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line, near the intersection, of a post standard for supporting a sign, which may be illuminated, advertising the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that no automobile repairing shall be carried on and no parking of cars other than those being serviced; that no portable gasoline pumps shall be used on or from the premises; that the balance of Lot No. 4, adjoining this plot under the same ownership, shall in no way be used in connection with the gasoline station uses; that the entrance from 140th avenue to such balance of Lot No. 4 shall be solely for access to the private garage appurtenant to the residential use and for the usual residential servicing; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

163-40-BZ.

APPLICANT—Louis R. Patur, for Beck-Brown Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis R. Patur, Arthur Robinson and Harry Kander.

For Opposition: Paul P. Meltzer and Morris Brownstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Deputy Chief Gunn 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(163-40-BZ)

WHEREAS, Louis R. Patur, for Beck-Brown Realty Corporation, owner, filed February 9, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 282-294 Chester street, west side, 180 ft. north of Dumont avenue (Block No. 3559, Lot Nos. 40, 41, 43 and 45), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Chester street is in a business use district; Bristol street is in a residence and business use district; Blake avenue and Dumont avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 9086-1939, dated January 16, 1940, reads:

“Proposed parking and storing of more than 5 cars within a business use district is contrary to Art. 2, Sect. 4-15 of the Zone Resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 112 ft. on Chester street and a maximum depth of 100 ft.; it is proposed to occupy the site for a temporary

period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, and that the applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

165-40-BZ.

APPLICANT—Thomas J. Kelaher, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas J. Kelaher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(165-40-BZ)

WHEREAS, Thomas J. Kelaher, owner, filed February 10, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1324 Crosby avenue, east side, 150 ft. south of LaSalle avenue (Block No. 5360, Lot No. 21), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Crosby avenue and Waterbury avenue are in business use districts; Hobart avenue and LaSalle avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 170-28, dated February 8, 1940, reads:

“Please be advised that your application for a Certificate of Occupancy for the use of the above premises as a Motor Vehicle Repair Shop is denied as this building was originally erected and completed as a three car private garage, accessory to dwelling on the same plot.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 101 ft.; upon the plot there is a two and one-half story, one-family frame dwelling and a cement block private garage, 32 ft. by 26 ft. in area; it is proposed to convert the occupancy of this private garage to a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision e, of the building zone resolution as amended.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7e, for

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a term of two (2) years, to permit the premises to be used for motor vehicle repairing, provided such repairing is of a minor nature with the use of hand tools only, except that there may be a motor-driven drill or grinder, provided the motor power is not over one-half horsepower; that there shall be no straightening of fenders or chasses or any other use in connection with motor vehicle repairing that will be unduly noisy or objectionable; that no signs shall be erected on the premises, and the existing accessory garage in which the motor vehicle repairing is to be carried on shall not be increased in height or area, and no repair work shall be done except in such garage; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

207-40-BZ.

APPLICANT—City Bank Farmers Trust Company, trustee, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7e of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: V. L. Dudley.

For Opposition: Louis A. Jackson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(207-40-BZ)

WHEREAS, City Bank and Farmers Trust Company, trustee, owner, filed February 26, 1940, an application under section 7e of the building zone resolution, to permit in a business use district the conversion of occupancy of a building used as a stable for more than five (5) horses to a garage for more than five (5) motor vehicles; premises 207-213 Thompson street, west side, 100 ft. north of Bleecker street (Block No. 539, Lot No. 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Thompson street, Sullivan street and Bleecker street are in business and unrestricted use districts; West 3rd street is in an unrestricted use district; and

WHEREAS, the decision of the acting borough superintendent of buildings, on Alt. Application No. 3469-1939, dated March 23, 1940, reads:

“Change of occupancy from stable for more than five horses to a garage for more than five (5) motor vehicles is prohibited by Article II, Sec. 4 and 6. Building Zone Resolution.”

and

WHEREAS, the existing building is of non-fireproof construction, 100 ft. by 94 ft. in area, and four (4) stories in height; it is proposed to alter, reconstruct and fireproof the interior of the building, occupied as a stable for more than five (5) horses, and convert the occupancy to a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was not a proper

case in which to exercise its discretion to grant under section 7, subdivision e, of the building zone resolution as in force at the time of the hearing on this application.

Resolved, that the decision of the acting borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

215-40-BZ.

APPLICANT—Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(215-40-BZ)

WHEREAS, Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee), filed February 28, 1940, an application under the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing dwelling to an undertaking establishment; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 109th avenue is in a residence and business district; 164th street and 164th place are in residence use districts; New York boulevard is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 67-1940, dated May 14, 1940, reads:

“1. The establishment of an undertaking business in a building located in a residence zone is contrary to Article 2, Section 3 of the Zoning Law.”

and

WHEREAS, the existing building is of frame construction, with a frontage of 18.2 ft., a depth of 54 ft. and two and one-half stories in height; and

WHEREAS, it is proposed to alter and to convert the occupancy of the first story of the existing building from residence use to an undertaking establishment; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision e, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7e, to permit the premises under appeal to be occupied as proposed, provided the undertaking establishment shall be limited to the first story; that the second story shall remain for residential occupancy; that the proposed changes as to partitions, as indicated on plans filed with this application, may be

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made, provided there is a second means of exit installed from the rear of the proposed enlarged room, such exit to be either to the court toward the east or west; that the windows in the proposed embalming room and any glass panes in the rear exit door shall be translucent glass; that no signs shall be erected on the premises, except there may be a non-illuminated sign, not over 1 sq. ft. in area, advertising the undertaking business, attached to the front of the house near the entrance; that the requirements of the resolution adopted by this Board under Cal. No. 241-40-A shall be complied with; that the entrance to the second story residential portion of the building shall be entirely separated from the first story portion; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution; that the garage on the premises shall be used only for vehicles of the pleasure-car type, as accessory to the residence occupancy.

384-40-BZ.

APPLICANT—Abraham N. Horwitz, for Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

For Opposition: Charles L. Fleece, E. S. Mindlin, Margaret Downey, Arthur Brandwein, Howard W. Woolf, J. Walter Green and Rev. John J. Kiernan.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(384-40-BZ)

WHEREAS, Abraham N. Horwitz, for Federation Bank and Trust Company, owner (Morris Goldstein and Louis Morgenstein, lessees), filed April 12, 1940, an application under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 443-451 West 34th street, north side, 187.6 ft. east of Tenth avenue (Block No. 732, Lot Nos. 11 to 15, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 2, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 34th street and West 35th street are in retail and unrestricted use districts; Tenth avenue is in a business and unrestricted use district; Ninth avenue is in a retail use district; and

WHEREAS, the decision of the acting borough superintendent of buildings, dated March 13, 1940, reads:

"Relative to your application dated February 29th, 1940 for a certificate of occupancy for the use of the above premises as a parking and storage lot for more than five motor vehicles, we wish to advise you that said application has been denied as the premises are located in a retail district where this occupancy is prohibited by Section 4A of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 95.1 ft. on West 34th street and a depth of 98.9 ft.; it is proposed to occupy the premises for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the acting borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEAL FROM ADMINISTRATIVE DECISION.

241-40-A.

APPLICANT—Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James L. Percival.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(241-40-A)

WHEREAS, Edward C. Miller, for Marie J. Masterson, owner (James L. Percival, lessee), filed February 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 164-04 109th avenue, southeast corner of 164th street (Block No. 10182, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 67-40, dated January 29, 1940, reads:

"2. The creation of a business in a building of frame construction is contrary to section 4.2.1 of the Building Code."

and

WHEREAS, the building is two and one-half stories (37 ft.) in height, 18.16 ft. by 54 ft. in area; of Class 4 construction; located in a residence use D area district; erected in 1925, and occupied as a one-family dwelling; it is proposed to be occupied: first story, funeral parlor; second story, attic, dwelling; and

WHEREAS, the applicant contends that it is proposed to increase the door opening between the living room and the dining room; to remove the existing exterior door and window in the sun parlor and replace same with a new 4 ft. wide door; to install a new partition in the existing kitchen so as to create an embalming room; to strengthen the existing girder so as to provide a live load of seventy-five pounds on the first story; that the existing building is of a good grade stucco on the exterior surface; that there is a separate entrance to the dwelling portion on the second story; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. No. 67-40, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy of the

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building shall comply with the requirements as set forth in the resolution of the Board adopted this day under Cal. No. 215-40-BZ, and *on condition* that in all other respects the building shall comply with the requirements of the Building Code for a building erected outside of the fire limits; that the construction of the first story shall be capable of sustaining a live load per superficial foot of not less than seventy-five pounds; that in all other respects all laws, rules and regulations applicable to the building and occupancy shall be complied with.

Adjourned, 1:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JULY 2, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

BUILDING ZONE CASES.

302-29-BZ.

APPLICANT—Reginald S. Hardy, for John Sklar Holding Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition under section 21 of the building zone resolution, permitting, partly in a residence use district and partly in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

401-31-BZ.

APPLICANT—Sidney L. Strauss, for Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee).

SUBJECT—Application for consideration—reopening and amendment on a new proposal—re additional use—(re decision of the borough superintendent of buildings)—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

120-33-BZ.

APPLICANT—Eadie, Nunley, Gale and Rosenholz, for Harry Hugger, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Thomas Nunley.

ACTION OF BOARD—Application reopened and set for hearing September 17, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Incorporated, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution as to additional area—re Application (decision of the borough superintendent of buildings), permitting, partly in a residence use district and partly in a business use district, the erection and maintenance of a multiple dwelling with stores on the first story.

PREMISES AFFECTED—888 Grand concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

586-39-BZ.

APPLICANT—Charles London, for Mary L. Moll and Charles London, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles London and Mr. Glicksman.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

1483-39-BZ.

APPLICANT—Lama and Proskauer, for East River Savings Bank, owner.

SUBJECT—Application for consideration—reopening and

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restoration to Calendar—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, the erection and maintenance of a gasoline service station and motor vehicle repair shop (previously withdrawn—re erection and maintenance of a gasoline service station).

PREMISES AFFECTED—39 Kenmare street, northwest corner of Elizabeth street (Block No. 479, Lot Nos. 24, 125 and 126), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure under new proposal.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

286-37-BZ.

APPLICANT—Edward J. A. Sylvester, for Trinor Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting in a residence use district the extension of an existing laundry.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(286-37-BZ)

WHEREAS, this application affecting premises 428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan, was granted by the Board July 9, 1937, on certain conditions, time extended May 10, 1938, and July 5, 1939, and applicant requests an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 9, 1937, as amended by resolution of May 10, 1938, and July 5, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

“that all permits shall be obtained and all work completed within one (1) year from the date of this *amended resolution*, on condition that the resolution adopted on July 9, 1937, shall be complied with in all other respects.”

908-38-BZ.

APPLICANT—Lama and Proskauer, for Eugene Gallagher, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of a gasoline service station, previously denied by the Board and granted under decision of the Court.

PREMISES AFFECTED—110-44 to 110-56 Springfield boulevard and 216-39 to 216-49 111th avenue, northwest corner (Block No. 2038, Lot Nos. 31 and 33), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(908-38-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station, was previously denied by the Board and granted in part under decision of the Court; premises 110-44 to 110-56 Springfield boulevard and 216-39 to 216-49 111th avenue, northwest corner (Block No. 2038, Lot Nos. 31 and 33), Queens Village, Borough of Queens; and

WHEREAS, this application was granted by the Board March 7, 1939, on certain conditions, resolution amended November 8, 1939; and

WHEREAS, Lama and Proskauer, for Eugene Gallagher, owner, requested a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on March 7, 1939, as amended November 8, 1939, be and it hereby is *amended*, so that as amended the resolution shall read:

“*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 of the building zone resolution, to permit the premises under appeal to be rearranged and extended to the north and south within the business use area as proposed, so as to permit the occupancy as a gasoline service station of the entire plot with a frontage of 133 ft. on Springfield boulevard and a depth of 100 ft. along 111th avenue, on condition that the existing accessory building shall not be increased in height or area; that there shall be a wall erected on the interior lot lines to the west and north, where the walls of the accessory buildings do not occur, this wall to be not less than 6 ft. in height, except that it may be reduced to a height of 4 ft. for a distance of 10 ft. westerly from Springfield boulevard and need not be higher than the existing wall erected in accordance with the requirements of the resolution adopted by the Board applying to the adjoining premises to the north (Cal. No. 217-33-BZ), dated January 11, 1938; that a similar wall not less than 4 ft. in height shall be erected on the 111th avenue building line from the rear line easterly for a distance of not less than 50 ft.; that concrete sidewalks and curbs shall be installed on Springfield boulevard and 111th avenue frontages; that the entire plot, where not occupied by accessory buildings and walls, shall be leveled substantially to the grade of Springfield boulevard and 111th avenue and shall be paved with concrete paving, except for the areas along the interior lot lines, which shall be maintained for planting with curb protection; that gasoline pumps erected shall not be nearer than 15 ft. to the building line of Springfield boulevard or 111th avenue; that the entrances to the premises shall not exceed three, two (2) from Springfield boulevard, not over 35 ft. in width each, and one (1) to 111th avenue, not over 25 ft. in width; that at the intersection of Springfield boulevard and 111th avenue there shall be a triangular platform of concrete not less than 12 in. in height and not less than 5 ft. along each building line from the point of intersection; that signs shall be restricted to illuminated globes of pumps and a permanent sign attached to the accessory building, excluding all temporary signs and

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roof signs, except that there may be erected within the building line at intersection of the two streets (111th avenue and Springfield boulevard), a post standard to support a sign which may be illuminated, advertising only the brand of gasoline sold, and permitting such sign to extend beyond the building line for a distance of not over 5 ft.; that the premises shall be used for no other use than herein permitted; that no motor vehicle repairing shall be carried on or parking of cars, other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that in the event the owner desires to omit the wall hereinbefore required on the interior lot line to the north, and there is a wall of equivalent height erected by the owner of the adjoining premises in accordance with the resolution of the Board applying to the adjoining premises, the wall on these premises may be omitted.

Resolved further, that in view of the recent change of grade of Springfield boulevard, the requirements of this resolution as to paving of the gasoline selling area may be deferred, providing such paving is completed in accordance with the requirements of the Board's resolution within three (3) months after the regrading of Springfield boulevard has been completed.

1216-39-BZ.

APPLICANT—Matthew W. Del Gaudio, for 352 West 44th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7a and 7c of the building zone resolution, permitting in a residence use district the alteration and, also, the extension of an existing business use in an existing building.

PREMISES AFFECTED—352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1216-39-BZ)

WHEREAS, Matthew W. Del Gaudio, for 352 West 44th Street Corporation, owner, filed October 5, 1939, an application under sections 7a and 7c of the building zone resolution, to permit in a residence use district the alteration and extension of an existing building and the extension of a business use therein; premises 352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan; and

WHEREAS, this application was granted by the Board January 23, 1940, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 23, 1940, so that as amended it shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the reconstruction and extension of an existing building, substantially as proposed on the plans filed herein, *on condition* that the building shall not be further extended in height or area; that the use shall not be extended beyond the second

story, as proposed; that the front of the building shall be altered and reconstructed as to design, substantially as indicated on plans filed herein; that at the rear, walls or substantial fences shall be constructed on the side and rear lot lines to enclose the rear yard, unless substantial wire fences or walls of buildings already exist; that signs advertising the business occupancy shall be restricted to permanent signs attached to the facade of the building, excluding any roof signs, or signs extending beyond the building line at right angles or for a distance of more than 6 in.; that in the event the applicant desires to remove the top or third story of the building, such removal may be permitted, provided in all other respects the requirements of this resolution shall be complied with; that the second story may be constructed 12 ft. in height, as shown on revised plans marked 'Received June 26, 1940'; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this *amended resolution*.”

APPEALS FROM ADMINISTRATIVE DECISIONS. 351-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.

PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Inspector O'Donohue.

For Opposition: A. A. Wilson, Jr.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for report by a committee of the Board.

688-40-A.

APPLICANT—Julius Eckman, for Edward L. Sawyer, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

979-39-A.

APPLICANT—George Wolz, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1835 Lexington avenue, east side, 60 ft. 11 in. south of East 114th street (Block No. 1641, Lot No. 51½), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

146-40-A.

APPLICANT—Davidson and Mann, for The Kempner

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Realty Corporation, owner (Katherine Sullivan, lessee).
 SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
 PREMISES AFFECTED—39 West 54th street, north side, 280 ft. east of Sixth avenue (Block No. 1270, Lot No. 12), Borough of Manhattan.
 APPEARANCES—
 For Applicant: Cecil Citron.
 ACTION OF BOARD—Appeal withdrawn without argument.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0

261-40-A.
 APPLICANT—Jack Z. Cohen, for Salvatore Calandra, owner.
 SUBJECT—Appeal from a decision of the borough superintendent of buildings.
 PREMISES AFFECTED—167 Delancey place, east side, 213 ft. north of Morris Park avenue (Block No. 4056, Lot No. 7), Borough of The Bronx.
 APPEARANCES—
 For Applicant: Larry Meltzer.
 For Administration: M. Harris, Department of Housing and Buildings.
 ACTION OF BOARD—Appeal withdrawn without argument.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0

818-39-A.
 APPLICANT—Reynolds Metals Company (lessee), for Carrie Giacobbe, owner.
 SUBJECT—Appeal from an order and a decision of the fire commissioner.
 PREMISES AFFECTED—14-16 30th drive, south side, 200 ft. east of 14th street (Block No. 534, Lot No. 35), Long Island City, Borough of Queens.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Appeal dismissed for lack of prosecution.
 THE VOTE TO DISMISS—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0
 THE RESOLUTION—
 (818-39-A)

WHEREAS, Reynolds Metals Company (lessee), for Carrie Giacobbe, owner, filed June 19, 1939, an appeal from an order and a decision of the fire commissioner; premises 14-16 30th drive, south side, 200 ft. east of 14th street (Block No. 534, Lot No. 35), Long Island City, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance on behalf of the applicant.
Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

353-40-A.
 APPLICANT—John Hertlein, owner (D. & S. Grant Five and Ten Cents Store, lessee).
 SUBJECT—Appeal from an order of the fire commissioner.
 PREMISES AFFECTED—28-32 Steinway street, west side, 400 ft. north of 30th avenue (Block No. 662,

Lot No. 33), Long Island City, Borough of Queens.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Appeal dismissed for lack of prosecution.
 THE VOTE TO DISMISS—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0
 THE RESOLUTION—
 (353-40-A)

WHEREAS, John Hertlein, owner (D. & S. Grant Five and Ten Cents Store, lessee), filed April 8, 1940, an appeal from an order of the fire commissioner; premises 28-32 Steinway street, west side, 400 ft. north of 30th avenue (Block No. 662, Lot No. 33), Long Island City, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance on behalf of the applicant.
Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

371-40-A.
 APPLICANT—Arnold W. Lederer, for Rose and Guiseppe Valentino, owners.
 SUBJECT—Appeal from a decision of the borough superintendent of buildings.
 PREMISES AFFECTED—2323 West street, east side, 200 ft. south of Avenue W (Block No. 7176, Lot No. 68), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Appeal dismissed for lack of prosecution.
 THE VOTE TO DISMISS—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0
 THE RESOLUTION—
 (371-40-A)

WHEREAS, Arnold W. Lederer, for Rose and Guiseppe Valentino, owners, filed April 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 2323 West street, east side, 200 ft. south of Avenue W (Block No. 7176, Lot No. 68), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance on behalf of the applicant.
Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

516-40-A.
 APPLICANT—Louis Chaiken and Sons (lessees), for Thomas Zilinskas, owner.
 SUBJECT—Appeal from an order of the fire commissioner.
 PREMISES AFFECTED—267 Kent avenue and 29 South First street, northeast corner (Block No. 2390, Lot No. 1), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: None.
 ACTION OF BOARD—Appeal dismissed for lack of prosecution.
 THE VOTE TO DISMISS—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
 Negative 0
 THE RESOLUTION—
 (516-40-A)

WHEREAS, Louis Chaiken and Sons (lessees), for Thomas Zilinskas, owner, filed May 15, 1940, an appeal from an order of the fire commissioner; premises 267 Kent avenue and 29

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South First street, northeast corner (Block No. 2390, Lot No. 1). Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance on behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

599-40-A.

APPLICANT—Edgar F. Stoeckel, for Elmer E. Bennett, Jr., Memorial Association, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—574 Ridgewood avenue, southwest corner of Grant avenue (Block No. 4135, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(599-40-A)

WHEREAS, Edgar F. Stoeckel, for Elmer E. Bennett, Jr., Memorial Association, owner, filed June 4, 1940, an appeal from a decision of the borough superintendent of buildings; premises 574 Ridgewood avenue, southwest corner of Grant avenue (Block No. 4135, Lot No. 36), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance on behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

209-40-A.

APPLICANT—Sheppard Glucroft, for Benar Holding Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—92-17 to 92-19 Union Hall street, east side, 175 ft. south of Jamaica avenue (Block No. 10102, part of Lot No. 74), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sheppard Glucroft.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(209-40-A)

WHEREAS, Sheppard Glucroft, for Benar Holding Corporation, owner, filed February 26, 1940, an appeal from an order of the fire commissioner; premises 92-17 to 92-19 Union Hall street, east side, 175 ft. south of Jamaica avenue (Block No. 10102, part of Lot No. 74), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4142-LF, dated February 6, 1940, reads:

"2. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code. C19.161.0, Admin. Code."

and

WHEREAS, the building is one story (15 ft.) in height, 55

ft. by 100 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1925, and occupied: cellar, storage; first story, stores; and

WHEREAS, the applicant contends that the order applies to 92-19 Union Hall street, occupied for the storage of merchandise in the basement in conjunction with the department store located at 92-17 Union Hall street, running through to Jamaica avenue; that the merchandise store does not include any hazardous materials; that adequate aisles are maintained; that no stock is kept within 18 in. of the ceiling; that the order is placed due to lack of access for the Fire Department to the basement portion of the building; that there is an existing sidewalk stairway on Union Hall street; that it is proposed to install an additional stairway from a flush-type door in the floor of the open arcade which will give access to the rear portion of the store.

Resolved, that the order of the fire commissioner, Order No. 4142-LF, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a sprinkler system complying with the requirements of the Building Code therefor, except that the sprinkler system may be one source, with heads pendant, connected from the street water supply of this building or adjoining building under the same control, provided such source is not less than 1½ in. in diameter.

263-40-A.

APPLICANT—James A. Boyle, for George S. Thain, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: James A. Boyle.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(263-40-A)

WHEREAS, James A. Boyle, for George S. Thain, Incorporated, owner, filed March 8, 1940, an appeal from an order and a decision of the fire commissioner; premises 537 Court street and 20-26 Garnet street, southeast corner (Block No. 479, Lot No. 10), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 3421-LF, dated October 30, 1939, reads:

"2. Provide a separate and distinct system of Automatic Sprinklers throughout building having at least one source of water supply arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated February 21, 1940; and

WHEREAS, the building is three stories (33 ft.) in height, 21 ft. 6 in. by 80 ft. in area at first story and 21 ft. 6 in. by 50 ft. in area at typical floor; of Class 3 construction; erected about 1870; located in an unrestricted use district, and occupied: cellar, ordinary use; first story, pawn shop, 4 persons; second story, pawn shop storage, no persons; third story, pawn shop, no persons; and

WHEREAS, the applicant contends that the building has been occupied by one tenant for thirty-four years; that in lieu of compliance with the order, the present stair will be removed on all floors; that a new 3 ft. wide stairway will be erected from grade to top floor, and exit direct to Garnet street; that the proposed stair will be provided with fire

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partitions with fireproof self-closing doors to stair hall; that it is also proposed to erect a regulation fire escape on the Court street front of the building; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 3421-LF, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be improved by the installation of a stairway, fire escape and other items as shown on application filed with the borough superintendent of buildings, No. 2838-40; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct, and *granted* only so long as the building is occupied as proposed; that such alterations shall be completed within six (6) months from the date of this resolution; that in all other respects the use and occupancy of the building shall comply with all laws, rules and regulations applicable thereto.

333-40-A.

APPLICANT—Harry E. O'Donnell, for Park of Edgewater, Incorporated, owner (Colette and Edgar Maloney, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Borough of The Bronx (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Harry E. O'Donnell.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(333-40-A)

WHEREAS, Harry E. O'Donnell, for Park of Edgewater, Incorporated, owner, filed April 2, 1940, an application for permission to erect a building in the bed of a mapped street (Shore drive); premises 147 Second avenue, northwest corner of Center street (Block No. 5516, part of Lot No. 1), Borough of The Bronx; and

WHEREAS, due notice of a public hearing to be held pursuant to section 35 of the General City Law was published in the Bulletin of the Board, supplemented by publication in the New York Times on June 17, June 24 and July 1, 1940; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. 128-40, dated March 4, 1940, reads:

"3. Building in the bed of a proposed City street is contrary to Sec. 35 of the General City Law."

and

WHEREAS, the proposed building will be one story (20 ft.) in height, 18.2 ft. by 46.2 ft. in area; of frame construction; located in an unrestricted use C area district; erected in the bed of Shore drive 24.61 ft. west of Longstreet avenue; and

WHEREAS, this Board was advised by the Commissioner of Borough Works of the Bronx on June 24, 1940, that no move has been made by the city or local taxpayers to initiate a proceeding to acquire title to Shore drive, and that the Department of Borough Works cannot object to the proposed improvement; and

WHEREAS, this application requests permission to place a concrete foundation under an existing frame building erected in 1923 so as to adapt same for year-round occupancy as a one-family dwelling; and

WHEREAS, the applicant contends that the owner has owned these premises for twenty-five years; that the owner has mapped same according to a design into small individual

plots which have been leased to over six hundred families; that bungalow dwellings have been erected on these plots; that the building is owned by the lessee; that it is proposed to convert the present bungalow into a year-round dwelling by raising the house, constructing foundation walls, installing a heating plant, and rearranging interior partitions; that if the owner is prevented from using or renting the land affected for building purposes it would create a serious hardship and prevent a fair return on the property; that the proposed street has been on the map for thirty years and no proceedings have been initiated or contemplated to acquire title thereto; that section 35 of the General City Law is unconstitutional in that it unlawfully deprives the owner of the use of his property without due process of law and without just compensation therefor in violation of sections 6 and 7 of article 1 of the Constitution of the State of New York and section 1 of the Fourteenth Amendment to the Constitution of the United States.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Application No. 128-40, Objection No. 3, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

444-40-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—149 Congress street, 359-363 Henry street, 120-122 Amity street, 115-121 Amity street and 125-127 Amity street (Block No. 296, Lot Nos. 46, 4, 5, 6, 10 and 11, and Block No. 291, Lot Nos. 1, 50, 51, 52, 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(444-40-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed April 25, 1940, an appeal from decisions of the borough superintendent of buildings; premises 149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 246), 359-363 Henry street, east side, 50 ft. south of Amity street (Block No. 296, Lot Nos. 4, 5 and 6), 120-122 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot Nos. 10 and 11), 115-121 Amity street, northeast corner of Henry street (Block No. 291, Lot Nos. 1, 50, 51 and 52), 125-127 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot Nos. 47 and 48), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 6192-38, affecting premises 363 Henry street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
 - (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
 - (c) Passageway to be 3' 0" wide, sec. 6.3.2.
 - (d) Stairs to be constructed of iron, sec. 6.4.1.7.1.
 - (e) Stairway to be enclosed in approved 2-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
 - (f) Stairway to extend to roof, sec. 6.4.1.11.
2. Cellar ceiling to be fire-retarded and cellar stairs to be fireproof enclosed."

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and

WHEREAS, the decision of the borough superintendent of buildings, on Amendment No. 6195-38 to Permit No. 1018-38, affecting premises 149 Congress street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairway to be enclosed in approved 2-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
- (e) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar ceiling to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the decision of the borough superintendent of buildings, on Amendment No. 6196-38 to Permit No. 591-35, affecting premises 122 Amity street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairway to be enclosed in approved 1-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
- (e) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar enclosure to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 6191-38, affecting premises 120 Amity street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairs to be constructed of iron, sec. 6.4.1.7.1.
- (e) Stairway to be enclosed in approved 2-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.11.

2. Cellar ceiling to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 6194-38, affecting premises 359-361 Henry street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairs to be constructed of iron, sec. 6.4.1.7.1.
- (e) Stairway to be enclosed in approved 2-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
- (f) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar ceiling to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the decision of the borough superintendent of buildings, on Amendment No. 6197-38 to Permit No. 13667-

36, affecting premises 115-121 Amity street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairway to be enclosed in approved 1-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
- (e) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar enclosure to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the decision of the borough superintendent of buildings, on Amendment No. 6199-38 to Permit No. 6997-38, affecting premises 125-127 Henry street, dated November 9, 1939, reads:

"1. As occupancy is being changed to one on which Art. 7, 'Means of Egress', of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3' 0" wide, sec. 6.4.1.2. (b) 1.
- (b) Doorways to be 3' 0" wide, sec. 6.2.1. (a).
- (c) Passageway to be 3' 0" wide, sec. 6.3.2.
- (d) Stairway to be enclosed in approved 1-hour fire resistive partitions, and doors in enclosures to be ¾ hour fireproof, self-closing, sec. 6.4.1.8.1.
- (e) Stairway to extend to roof, sec. 6.4.1.11.

2. Cellar enclosure to be fire-retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the buildings in question are three and four stories in height; of Class 3 construction; occupied throughout as quarters for nurses and hospital employees; and

WHEREAS, the applicant contends, as to Applic. Nos. 6192, 6195 and 6196-38, affecting premises 363 Henry street, 149 Congress street and 122 Amity street, as to Objection No. 1, that the occupancies are not now being changed, but were changed from seven to sixteen years ago, and were so considered by the Department on December 1, 1936; that there has been much confusion in this matter since the permits for alterations were issued; that this uncertainty was taken into consideration by the committee as stated in Bulletin of October 11, 1938, page 1240; that the applicant considers the buildings "Residences" (3.1.2.b); that as to (a), the width of the main stairs varies from 2 ft. 11 in. to over 3 ft.; that there are not over twelve occupants above the first story in any of these buildings; that as to (b), the doors from the rooms are 2 ft. 8 in. wide; that as to (c), the passageways are over 3 ft. wide; that the total width of the stair halls above the first story are 7 ft. 11½ in. maximum and 6 ft. 7 in. minimum; that as to (d), the stairways are not enclosed in one-hour fire-resistive partitions and the doors are not fireproof; that as to (e), stairs lead to adjoining roofs owned by the hospital, in 122 Amity street and 363 Henry street; that new stairs and a bulkhead are proposed for 149 Congress street; that in lieu of fire-resistive material on partitions and doors, fire escapes have been installed on the rear of each building, and all occupants will have access to them without passing through the main stair halls; that the installation of these fire escapes was approved by the then commissioner before any alterations were made; that as to Objection No. 2, the applicant contends that in the basements the enclosures around the stairs are not one-hour fire-resistive; that the cellars are never in use, and the heating and hot water service are supplied from the power house; that it is requested that the objections be canceled; that a certificate of occupancy be issued on 122 Amity street and 363 Henry street without further change, and that only adequate exits to roof and proper access to fire escape be required in 149 Congress street; and

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WHEREAS, the applicant contends, as to Application Nos. 6191 and 6194-38, affecting premises 120 Amity street and 359-361 Henry street, as to Objection No. 1, that the occupancies are not now being changed and have not been changed for twenty-four and thirty-one years; that when erected they were called "Tenements"; that the Department once considered the buildings "Multiple Dwellings", but now they are classified as "Residences" (3.1.2.b); that as to (a), the stairs are 3 ft. wide; that as to (b), the doors are 2 ft. 8 in. wide; that as to (c), the passageways are 3 ft. and over in width; that as to (d), the stairs are constructed of wood; that as to (e), the stairs are not enclosed in two-hour fire-resistive material and the doors are not fireproof; that as to (f), the stairways extend to metal-covered bulkheads on the roofs; that in lieu of the fire-resistive material and self-closing doors, fire escapes are now on the rear of the building; that it is proposed to install some doors in the halls and iron balconies so as to permit the occupants in the front to have access from the buildings to adjoining buildings without entering the main stair halls; that as to Objection No. 2, the applicant contends that there are no boilers in the cellars as the heating and hot water service are supplied from the power house; that the ceilings are covered with sub-standard material; that in the basement of 359 Henry street it is proposed to repair a fire door and install sprinklers as some furniture is stored there; that such hazard does not exist in the other basements; that it is requested that these objections be canceled and that permission be granted to install the proposed doors, balconies and sprinklers so that a certificate of occupancy can be issued; and

WHEREAS, the applicant contends, as to Applic. Nos. 6197 and 6199, affecting premises 115-121 and 125-127 Amity street, as to Objection No. 1, that the occupancies are not now being changed, but were changed from ten to nineteen years ago, and were so considered by the Department on December 1, 1936; that there has been much confusion in this matter since the permit for alterations was issued and the work completed; that this uncertainty was taken into consideration by the committee as stated in Bulletin of October 11, 1938, page 1240; that the applicant considers the buildings "Residences" (3.1.2.b); that as to (a), the width of the stairways in these buildings is over 2 ft. 7 in.; that there are not more than eight occupants above the first story in any building; that as to (b), the doors from the rooms to the halls are 2 ft. 6 in. wide; that as to (c), the passageways are about 2 ft. 10 in. wide, the width of the halls, including the stairs, being 6 ft. 5 in.; that as to (d), the stairways are not enclosed in one-hour fire-resistive partitions and the doors are not fireproof; that as to (e), iron stairs of the engine room type have been installed, extending from the top story to metal-covered bulkheads on the roofs; that the adjoining roofs are on the same level; that in lieu of fire-resistive material on partitions and doors, iron balconies have been installed on all floors above the first; that each occupant may, without entering the stair hall, pass around a party wall to an adjoining building owned by the hospital; that the installation of these balconies in place of fire-resistive material was approved by the then commissioner, who visited the building with the applicant before any alterations were made; that as to Objection No. 2, the applicant contends that in the basement the enclosures around stairs, including doors, have been covered with metal on one side; that this covering is not one-hour fire-resistive; that the cellars are never in use as the heating and hot water service are supplied from the power house; that it is requested that all the objections be canceled and that a certificate of occupancy be issued.

Resolved, that the decisions of the borough superintendent of buildings, acting on Alt. Applic. Nos. 691-38, 692-38, 694-38, 695-38 (Permit No. 1018-38), 6196-38 (Permit No. 591-35), 6197-38 (Permit No. 13667-36), 6199-38 (Permit No. 6997-36), as to Objection Nos. 1 and 2, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the ceilings in all cellars and basements shall be fire-retarded by removing present lath,

plasterboard and plaster and substituting wire lath and cement plaster; that in all cellars all unused heating equipment, wooden air ducts, wooden partitions and shelving and all rubbish shall be removed; that in all cellars and basements unused shafts, flues and pipe chases shall be sealed with approved masonry, including windows opening upon interior enclosed courts where same are not required for legal ventilation; that in the basement of No. 361 Henry street the partitions and floors forming former janitor's apartment shall be entirely removed and the floor cemented; that interior stairs to cellars and basements shall be made safe and enclosed in fire-retarded partitions with fireproof self-closing doors not less than 28 in. in width, approved for three-quarter-hour fire rating; that exterior exit stairways shall be constructed of incombustible materials; that exterior exit doors shall be arranged so as to be readily openable from the inside; that all gratings over all windows shall be removed or made readily openable from the inside; that openings in masonry walls between buildings shall either be bricked up or protected with fire-resistive self-closing hollow metal doors approved for one and one-half-hour protection or more, or labeled "Underwriter's fire doors" on each side of the openings; that illuminating gas piping shall be discontinued throughout the buildings except in rooms marked "Tea Room" in No. 120 Amity street, No. 117 Amity street and No. 361 Henry street; that general heating and supply of hot water shall be piped to the buildings from the main hospital buildings; that electric irons and other electric equipment shall be restricted to rooms marked "Laundry" and such equipment shall comply with the requirements of the Electrical Code of the City of New York; that any basement or cellar used or proposed to be used for furniture storage, such as proposed for the basement of 359 Henry street, shall be protected with a sprinkler system complying with the requirements of the Building Code as to size of piping and spacing of heads, but which may be one-source and connected to the street water supply of the building, provided such supply is not less than 1½ in.; that the street siamese may be omitted; that the interior fire alarm system shall be continued and extended to cover all buildings; that all exits shall be prominently identified by painted directional signs with red letters reading "Fire Exit"; that such fire alarm systems shall be so arranged as to ring a gong in the main office at 110 Amity street and so coded or arranged as to identify the building from which the alarm is sent; that all buildings shall be under the supervision of the attendants in the main office at 110 Amity street, and watchmen's service shall be maintained with stations in all buildings during all hours of the day and night; that in such office a non-coin telephone service shall be available at all times, with sign giving telephone numbers of fire and police headquarters, and also indicating location of nearest street fire alarm box; that in addition, all proposed alterations designed to improve exit conditions, as indicated on plans showing all floors of all buildings covered by this appeal and marked "Received April 25, 1940", shall be carried out, including maintenance of exit facilities, as shown, through building at 110 Amity street; that such portable fire-fighting appliances shall be installed throughout the buildings as the fire commissioner shall direct; that upon completion of the requirements a certificate of occupancy shall refer to the requirements of this resolution and shall remain in effect only until such time as the buildings are under the ownership and control of the Long Island College Hospital for housing members of its staff and that the occupancy per room shall not exceed that noted on such plans.

493-40-A.

APPLICANT—Lauritz Lauritzen, for the Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101-103 Greene avenue, north-

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east corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(493-40-A)

WHEREAS, Lauritz Lauritzen, for Roman Catholic Diocese, Brooklyn, filed May 8, 1940, an appeal from a decision of the borough superintendent of buildings; premises 101-103 Greene avenue, northeast corner of Vanderbilt avenue (Block No. 1943, Lot Nos. 43 and 44), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 1960-1940, dated May 2, 1940, reads:

"1. Proposition to convert three-story basement and attic brick residence building to public use as a home for the blind, is contrary to 4.2.1 of Code."

and

WHEREAS, the building is three stories, basement and attic (40 ft.) in height, 40 ft. by 43 ft. 2 in. in area; of Class 3 construction; erected in 1908; located in residence use B area district, and occupied: cellar, storage and boiler-room; basement, laundry, maid's room and office; first story, office and chapel; second story, bedrooms; third story, bedrooms; attic, storage; and

WHEREAS, the applicant contends that it is proposed to use the premises as a home for blind women in conjunction with the adjoining premises, No. 105-107 Greene avenue, which was acted on by the Board under Cal. No. 482-38-A; that the additional space will avoid congestion of the buildings already occupied for this purpose; that it is also proposed to fire-retard the entire cellar ceiling and to install one-hour test self-closing doors at all openings to public halls; to install a bulkhead from the top story to the roof; to install a sprinkler system in all public halls and to install any necessary fire appliances; that the communicating openings between buildings on the several floors are connected with one-hour doors.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Applic. No. 1960-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that revised plans marked "Received June 28, 1940", and showing proposed alterations as to stairs, fire escapes, sprinklers and other protection shall be carried out not only as regards the buildings under appeal at 101-103 Greene avenue but also as to adjoining buildings used in conjunction therewith at No. 105-107 Greene avenue; that such portable fire-fighting equipment shall be installed as the fire commissioner shall direct; that the person in charge of the institution shall give periodical instructions to all inmates as to means and location of exits; that runners of rubber or other material shall be installed on the bedroom floors on all upper floors, front to rear, so as to guide the inmates as to the location of exits; that there shall be maintained throughout the building a watchman's call system maintained throughout all hours of day and night; that a non-coin telephone shall be accessible at all times with a sign over same, giving the telephone numbers of fire and police headquarters and the location of the nearest fire alarm box; that an attendant shall be maintained in each building at all hours of the night; that in all respects other than as modified herein the building and occupancy shall comply with all legal requirements; that this modification shall continue only so long as the four buildings are used as herein proposed.

577-40-A.

APPLICANT—Zora Realty Corporation, owner.

SUBJECT—Appeal from a decision—re a violation of the acting borough superintendent of buildings.

PREMISES AFFECTED—721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: James A. Byrne.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(577-40-A)

WHEREAS, Zora Realty Corporation, owner, filed May 27, 1940, an appeal from an order of the borough superintendent of buildings; premises 721-723 Seventh avenue and 169 West 48th street, northeast corner (Block No. 1001, Lot No. 1), Borough of Manhattan; and

WHEREAS, Violation Order No. 6054-39, dated December 26, 1939, reads:

"You will please take notice that there exists a violation of Section 6.1.6 of the Building Code and C26-277.0 Administrative Code at the premises hereinafter described in that

of obstructing free passage to the fire tower the 2nd means of exit, on the 12th, 11th, 10th, 8th, 3rd and 2nd floors.

You are hereby directed to provide clear passages at least 3 ft. wide and unobstructed to the fire tower on the 12th, 11th, 10th, 8th, 3rd and 2nd floors."

and

WHEREAS, said order was referred to in a decision of the borough superintendent of buildings, dated May 24, 1940; and

WHEREAS, the building is twelve stories (150 ft.) in height, 50.4 ft. by 66.8 ft. in area; of Class 1 construction; equipped with a sprinkler system and standpipe system; erected in 1920; located in a retail use B area district, and occupied: cellar, kitchen, 5 persons; first story, restaurant, 20 persons; third story, offices and film laboratory, 10 persons; fourth story, film laboratory, 10 persons; fifth story, film exporters, 6 persons; sixth story, offices, 15 persons; seventh story, salesroom, 5 persons; eighth story, offices and film vault, 3 persons; ninth story, offices, 10 persons; tenth story, offices, 9 persons; eleventh story, offices, 11 persons; twelfth story, motion picture studio, 10 persons; penthouse, camera supplies and film vault, 7 persons; and

WHEREAS, the applicant contends that, as to the order requiring clear passage be provided at least 3 ft. in width on the second, third, eighth, tenth, eleventh and twelfth stories, the exit to the fire door on each of these floors is enclosed in a room, so that access to such exit is had by passing through such room; that these conditions existed for a number of years and no violation was issued; that the doors, which it is claimed obstruct the passageway from the main hall to the fire door, are kept open during the business hours, thus providing substantial compliance with the code; that the offices are narrow, and to use 3 ft. of such space to provide a corridor to the fire door would reduce the width of each room to less than 7 ft.; that the eighth story is now vacant; that a hallway will be constructed on the eighth story from the main hall to the fire tower exit; that on the twelfth story the door in the partitions separating the fire tower exit from the balance of the floor has been removed; that if the Board deems it to be necessary, on the second, third, tenth and eleventh stories, where the doors now remain, the applicant will remove the doors, replace the red light over each door in the hallway and provide exit signs.

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Resolved, that the decision of the borough superintendent of buildings, as to Violation Order No. 6054-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be immediately constructed a clear passageway, at least 3 ft. in width, unobstructed to the fire tower on all stories, except the tenth, eleventh and twelfth; that such passageway shall be constructed on the tenth and eleventh stories within one year from the date of this resolution, and on the twelfth story within two and one-half years from said date, provided that on the tenth, eleventh and twelfth stories a free passageway through existing tenants' space shall meanwhile be available at all times to all occupants on those stories, and all openings in such passageway through such tenants' space to fire tower shall have no doors and shall be kept clear during working hours; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

581-40-A.

APPLICANT—Isidore Klein, for Peter Dziekanowski, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—315 West 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Isidore Klein.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(581-40-A)

WHEREAS, Isidore Klein, for Peter Dziekanowski, owner, filed May 28, 1940, an appeal from a decision—re an order of the fire commissioner; premises 315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, Order No. 20940-LC, dated February 15, 1940, reads:

"1. Provide an automatic fire extinguishing system, for instance an automatic sprinkling system. Section C19-14.90-C-4, Article 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated May 22, 1940; and

WHEREAS, the building is three stories (40 ft.) in height, 25 ft. by 100 ft. in area; of non-fireproof construction; located in a residence use D area district; erected in 1916, and occupied: cellar, boiler; first story, manufacturing and five-car garage, 3 persons; second story, storage of cotton goods, 1 person; third story, manufacturing, 4 persons; and

WHEREAS, the appellant contends that in the second story loft the business of storing baled cotton goods is conducted, which cotton goods are purchased by automobile dealers for the purpose of cleaning automobile bodies; that the building is but 40 ft. in height, does not adjoin, nor is it near any occupied tenement house; that there are no office or factory buildings on the same block; that the owner of the building is engaged in the soda water business on the street level floor and personally superintends the building in every detail throughout the day; that since 1936, when the owner acquired the building, he has expended over \$8,000 on its improvement, substantially more than double the purchase price; that at no time are there more than eight persons in the building; that there is a dry sprinkler system provided.

Resolved, that the order of the fire commissioner, Order No. 20940-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the re-

quirements of the resolution adopted by the Board on July 12, 1938, under Cal. No. 484-38-A, reading as follows, shall be complied with:

"*granted on condition* that the certificate of occupancy shall be obtained from the borough superintendent of buildings, permitting this building to be used for factory purposes; that on the second story affected by this order the amount of loose material shall at no time exceed 500 pounds, and that the balance of the material shall either be baled or in heavy burlap bags; that such portable fire-fighting appliances shall be installed as the commissioner shall direct; that all other items of this order shall be complied with; that the building in all other respects shall comply with all laws, rules and regulations applicable thereto, and that the amount of space used shall not contravene the requirements of the building zone resolution for a business use district."

that in addition to the above requirements, the storage of cotton goods, either loose, in bags, or baled, shall be limited to the second story; that a permit shall be issued by the fire commissioner, under which a legal certificate of occupancy shall be issued by the borough superintendent of buildings.

665-40-A.

APPLICANT—Staten Island Wiping Material Company, for Estate of Thomas Barrett, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—500 Broome street, northeast corner of West Broadway (Block No. 487, Lot No. 7); (second, third and fourth stories), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas Cresatelli.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION—

(665-40-A)

WHEREAS, Staten Island Wiping Material Company, for Estate of Thomas Barrett, owner, filed June 19, 1940, an appeal from an order of the fire commissioner; premises 500 Broome street, northeast corner of West Broadway (Block No. 487, Lot No. 7); (second, third and fourth stories), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 22047-LC, dated May 20, 1940, reads:

"Before a permit may be issued for combustible fibre, the following must be done:

1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Sec. C19-149.0-C-4, Art. 26, Administrative Code."

and

WHEREAS, the building is five stories in height, 20 ft. by 75 ft. 5 in. in area; of brick construction; located in an unrestricted use B area district, and occupied: cellar, vacant; first story, store and express transfer; second story, storage of cotton goods, 2 persons; third story, storage of cotton goods no persons; fourth story, storage of cotton goods, no persons; fifth story, storage of wool clips; and

WHEREAS, the appellant contends that it handles new cotton goods and washed and sterilized wiping cloths; that this material is kept piled loose in an orderly manner and baled only when ready for shipment; that this material is no more hazardous than any average dry goods store.

Resolved, that the order of the fire commissioner, Order

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No. 22047-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

676-40-A.

APPLICANT—Perry Coke Smith, for East River Houses Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by East 102nd street, First avenue, East River drive and East 105th street (Block Nos. 1696, 1697 and 1698), Borough of Manhattan.

APPEARANCES—

For Applicant: J. T. Reilly and C. W. Schwising.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(676-40-A)

WHEREAS, Perry Coke Smith, for East River Houses Associated Architects, for New York City Housing Authority, owner, filed June 21, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises blocks bounded by East 102nd street, First avenue, East River drive and East 105th street (Block Nos. 1696, 1697 and 1698), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings, on N.B. Application No. 1-40, dated June 17, 1940, reads:

"A-35—One-hour test door and a hopper door must be provided at incinerator openings."

and

WHEREAS, it is proposed to erect upon the premises in question, located in a residence and unrestricted use A area district, twenty-nine Class A multiple dwellings, nine, ten and eleven stories in height; and

WHEREAS, the applicant contends that the incinerators are of a non-fuel fired type and therefore not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that incinerator openings will be provided with self-closing hopper doors and frames having a one-hour fire test rating and therefore unnecessary to add any further protection; that in accordance with the code, any hopper service door placed a foot or more off the required lines of egress travel would be acceptable without the use of a protective door; that this could not, therefore, be construed to give any more protection to the egress enclosure in which most incinerator openings are located; that in buildings where such protective doors have been installed, said doors have not only been a continual nuisance to the tenants by interfering with the convenient operation of the hopper door but also have been the cause of people spilling refuse, thereby creating an unsanitary condition; that people's clothes become soiled every time they use the incinerator as they must lean against the protective door to hold it open; that in general this additional door is very impractical; that most buildings heretofore using this protective door have been of non-fireproof construction, whereas all these buildings will be Class 1 fireproof structures; that the buildings in question are all provided with enclosed fire stairs which are isolated from incinerators; that the buildings are also provided with standpipe systems.

Resolved, that the decision of the acting borough superintendent of buildings, as to N.B. Applic. No. 1-40, Objection A-35, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed incinerator assembly shall be of a type as approved by the Board as meeting the requirements for a one-hour rating.

677-40-A.

APPLICANT—Estates Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-03, 73-07 and 73-11 186th street, southeast corner of 73rd avenue (Block No. 7174, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Henry S. Salomon.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(677-40-A)

WHEREAS, Estates Construction Corporation, owner, filed June 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-03, 73-07 and 73-11 186th street, southeast corner of 73rd avenue (Block No. 7174, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applications 4005, 4006 and 4007-40, dated June 17, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.18 ft. on 73rd avenue and 123.58 ft. on 186th street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and erect on each lot a one and one-half story frame one-family dwelling, 25 ft. in height, 27 ft. by 42 ft. in area, and a private garage; the dwellings and garages will be brick veneered to the plate line, will have frame gables and will be surfaced with slate on the roofs; the dwellings will be set back from 186th street for a distance of 20 ft. and will be provided with 9 ft. wide side yards on the south and 4 ft. wide side yards on the north, into which side yards chimney breasts will project; all garages will be located 1 ft. from interior lot lines; the building on the corner lot will have a 5 ft. side yard on the north and will be set back a distance of 12 ft. 6 in. from 73rd avenue, into which setback the chimney breast will project; and

WHEREAS, applicant contends that the area is rural in character and under restrictions now on record, which were placed at the request of the Federal Housing Administration; that the land upon which the buildings are to be erected is restricted to one-family dwellings; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 4005, 4006 and 4007-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be located and constructed as proposed and shall in all other respects comply with the requirements of the building code for residential buildings erected outside the fire limits.

678-40-A.

APPLICANT—Estates Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-04 and 73-10 186th street, southwest corner of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

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APPEARANCES—

For Applicant: Henry S. Salomon.
For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(678-40-A)

WHEREAS, Estates Construction Corporation, owner, filed June 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-04 and 73-10 186th street, southwest corner of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 4009 and 4010, dated June 17, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 101.71 ft. on 73rd avenue and 100 ft. on 186th street; located in a business use D area district; it is proposed to subdivide the plot into two lots and erect on each lot a one and one-half story frame one-family dwelling, 25 ft. in height and 27 ft. by 42 ft. in area, and a private garage; the dwellings will be surfaced on the exterior with 4 in. of brick veneer up to the plate line, will have frame gables, and the roofs will be surfaced with natural slate; the dwellings will be set back from 186th street for a distance of 20 ft.; the corner building will have a 7 ft. side yard on the south and will be set back 23 ft. from 73rd avenue, into which setback a chimney breast will project for a distance of 3 ft.; the building known as 73-10 186th street will have a 9 ft. wide side yard on the north and one 4 ft. wide on the south, into which latter yard a chimney breast will project for a distance of 2 ft.; both garages will be located 1 ft. from interior lot lines; and

WHEREAS, the applicant contends that the area is rural in character and under restrictions now on record, which were placed at the request of the Federal Housing Administration; that the land upon which the buildings are to be erected is restricted to one-family dwellings; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Applic. Nos. 4009 and 4010-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be located and constructed as proposed and shall in all other respects comply with the requirements of the building code for residential buildings erected outside the fire limits..

1184-39-A.

APPLICANT—Slee and Bryson, for Ridgelawn Homes, Incorporated, owner.

SUBJECT—Application reopened June 11, 1940, on a new proposal—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—1-15 Jackson court, west side, 100 ft. north of 101st street (Block No. 6138, part of Lot Nos. 31 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Blomberg.
For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Gunn 4
Negative 0

THE RESOLUTION—

(1184-39-A)

WHEREAS, Slee and Bryson, for Ridgelawn Homes, Incorporated, owner, filed September 27, 1939, an appeal from decisions of the acting borough superintendent of buildings; premises 1-15 Jackson court, east side, 70 ft. north of 101st street, and 2-12 Jackson court, west side, 100 ft. north of 101st street (Block No. 6138, part of Lot Nos. 31 and 42), Borough of Brooklyn, pursuant to section 36 of the General City Law, relating to the erection of buildings fronting on a street which is not on the city map; and

WHEREAS, the decision of the acting borough superintendent of buildings, on N.B. Application No. 2179-39, relating to No. 1 Jackson court, dated September 18, 1939, reads:

"1. Building may not be erected, fronting only on proposed private street, unless street layout is approved and placed on city plan. Section 36, General City Law. Application is hereby denied."

and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 2850 to 2861-39, inclusive, relating to 2-12 and 3-15 Jackson court, dated October 27, 1939, reads:

"1. Buildings may not be erected, fronting only on proposed private street, unless street layout is approved and placed on city map. Section 36, General City Law."

and

WHEREAS, the premises consist of a plot fronting 130 ft. on the east side of Jackson court, with a depth of 70 ft., upon which it is proposed to erect seven (7) Class 3 one-family dwellings, and a plot fronting on the west side of Jackson court, 100 ft. by 77 ft. 6 in., and 82 ft. 6 in. in depth, upon which it is proposed to erect six (6) Class 3 one-family dwellings, located in a residence C area district; and

WHEREAS, the applicant contends that the premises in question is part of a larger plot fronting 211 ft. on 101st street and 200 ft. on Fort Hamilton parkway; that the south-east portion of the property has been developed with similar buildings as those proposed; that the proposed street will be 50 ft. wide; that although the entire property forms a corner lot, it is of excessive depth and irregular in shape, so that in order to plan a practical number of one-family dwellings insuring income and tax value, it is necessary to build the proposed private street into the property for access to the two (2) inner groups of buildings and to limit the width of the proposed private street to 40 ft.; that the cost of constructing Jackson court and installing the necessary utilities therein will be borne entirely by the owner of the premises in question; and

WHEREAS, after due notice by publication in the Bulletin of the Board, as required by section 36 of the General City Law, supplemented by publication of notice in the Brooklyn Daily Eagle once in each week for three successive weeks, commencing on the 13th day of November, 1939, the Board of Standards and Appeals on November 28, 1939, held a public hearing on this application, and at said hearing the matter was adjourned to December 12, 1939, to permit applicant to confer with the City Planning Commission; and

WHEREAS, on December 12, 1939, the matter was adjourned to December 19, 1939, to permit an inspection of the site by a committee of the Board; and

WHEREAS, on December 19, 1939, the application was dismissed by the Board as not being properly before the Board in that it was the opinion of the Board that a subdivision plan should be filed with the City Planning Commission; and

WHEREAS, an application made to the Board of Estimate

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was referred to the City Planning Commission on February 29, 1940; and

WHEREAS, on April 17, 1940 (Cal. 16), the City Planning Commission fixed May 8, 1940, as the date for hearing, and on May 8, 1940 (Cal. 43), the hearing was closed by the City Planning Commission; and

WHEREAS, on May 15, 1940, the City Planning Commission reported to the Board of Estimate, recommending disapproval of the proposed map changes, providing for the construction of the private street in question with a roadway width of 30 ft. and sidewalk on each side of 10 ft.; and

WHEREAS, on June 3, 1940, the applicant requested reopening for reconsideration of the application by the Board of Standards and Appeals, and said application for reopening to reconsider came before the Board June 11, 1940, at which time the application was reopened and adjourned to July 2, 1940, to permit three publications in the Bulletin of the Board and in the Brooklyn Daily Eagle; and

WHEREAS, as part of said application to reopen, the applicant submitted new plans indicating proposed street width of 50 ft. in lieu of 40 ft. as previously proposed, with a roadway of 30 ft. in width and two 10 ft. sidewalks.

Resolved, that the decisions of the borough superintendent of buildings, acting on N.B. Applic. Nos. 2179-39 and 2850-2861-39, inclusive, Objection No. 1, be and it hereby is *modified*, under the power given to the Board under section 36 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the private street to be constructed as proposed with a total width of 50 ft., *on condition* that the sidewalks are constructed 8 ft. in width each and the roadway 34 ft. in width; that in all other respects the requirements of the building zone resolution and all other laws, rules and regulations applicable to the building and occupancy shall be complied with.

516-37-A.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(516-37-A)

WHEREAS, Lama and Proskauer, for Bessie Reibel, owner, filed October 28, 1937, an appeal from a decision of the fire commissioner; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board January 11, 1938, on certain conditions, time extended and resolution amended February 6, 1940, and applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on January 11, 1938, as amended by resolution of the Board adopted February 6, 1940, only so far as it refers to obtaining permits and the completion of the work, so that as amended this portion of the resolution shall read:

“that all permits required shall be obtained and all work completed within three (3) months from the date of this *amended resolution*.”

482-38-A.

APPLICANT—Lauritz Lauritzen, for the Very Rev. Msgr. J. Jerome Leddy, Director of Catholic Charities, owner.

SUBJECT—Application for reopening—amendment of resolution—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—105-107 Greene avenue, north side, 40 ft. east of Vanderbilt avenue (Block No. 1943, Lot Nos. 41 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(482-38-A)

WHEREAS, this appeal from a decision of the acting borough superintendent of buildings, affecting premises 105-107 Greene avenue, north side, 40 ft. east of Vanderbilt avenue (Block No. 1943, Lot Nos. 41 and 42), Borough of Brooklyn, was granted by the Board June 14, 1938, on certain conditions; and

WHEREAS, the Board deemed that in view of the action under Cal. No. 493-40-A, additional requirements should be imposed herewith.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 14, 1938, by adding thereto:

“that in addition to the previous conditions, such additional requirements as set forth in the resolution adopted by the Board under Cal. No. 493-40-A, as of July 2, 1940, shall be complied with.”

673-39-A.

APPLICANT—Holy Cross Society, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, 1,500 ft. offshore, at end of Soundview avenue, at Classon Point, East River, Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Ciano.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(673-39-A)

WHEREAS, Holy Cross Society, Incorporated, by Giacomo Albanese, president, applicant, filed May 22, 1939, an appeal from a decision of the fire commissioner; premises Barge, 1,500 ft. offshore, at end of Soundview avenue, Classon Point, East River, Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board July 18, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit; and

WHEREAS, a new decision has been given by the fire commissioner, dated June 24, 1940, as to the proposal for display of fireworks on August 25 and 26, 1940, under the same conditions as herein permitted by resolution of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 18, 1939, so that as amended it shall read:

“*Resolved*, that the decision of the fire commissioner,

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dated June 24, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the display of fireworks, restricted to the aerial type, to be discharged from a barge located approximately 1,500 ft. offshore near Classon Point, substantially as indicated on plan filed with this appeal, *on condition* that such barge shall be satisfactory to the fire commissioner and that the fireworks shall be discharged from a mortar anchored to the deck of the barge, as approved by the fire commissioner, and that fire extinguishers of such size as the fire commissioner shall direct shall be in readiness on the barge at all times; that the discharge of fire works shall be toward the open water and shall not take place while a barge or tanker containing oil or gasoline is within a distance of 2,000 ft.; that the display shall be in charge of a pyrotechnist having a certificate of fitness issued by the fire commissioner; that this permit shall be restricted to two days between August 21 and August 26, 1940."

VARIATIONS OF THE LABOR LAW.

83-40-S.

APPLICANT—Vadeco Realty Corporation, owner (Associated Laboratories, Incorporated, and San Gabriel Wine Company, lessees).

SUBJECT—Variation from the requirements of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Edwin F. Horner, David Kemp and John Blair.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., for inspection by a committee of the Board.

551-40-S.

APPLICANT—Jack Z. Cohen, for Chand Realty Corporation, owner.

SUBJECT—Variation from the requirements of the labor law as cited in a decision—re an order of the acting borough superintendent of buildings.

PREMISES AFFECTED—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer, Andrew Schirrmeister and Charles Schirrmeister.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application withdrawn; applicant to file application with the Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

754-39-S.

APPLICANT—Jack Berkowitz (lessee), for Union Title and Mortgage Company of New York, Incorporated, owner.

SUBJECT—Variation from the requirements of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—241-243 West 37th street, north side, 250 ft. east of Eighth avenue (Block No. 787, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(754-39-S)

WHEREAS, Jack Berkowitz (lessee), for Union Title and Mortgage Company of New York, Incorporated, owner, filed June 6, 1939, an application for a variation from the requirements of the labor law as cited in a decision of the borough superintendent of buildings; premises 241-243 West 37th street, north side, 250 ft. east of Eighth avenue (Block No. 787, Lot No. 20), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so, and at the hearing there was no appearance made on behalf of the applicant.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

637-40-S.

APPLICANT—Louis Goldfish, for Estate of Peter A. H. Jackson, Incorporated, owner.

SUBJECT—Variation from the requirements of the labor law as cited in an order and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—154 East 23rd street, south side, 150 ft. west of Third avenue (Block No. 878, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Goldfish.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(637-40-S)

WHEREAS, Louis Goldfish, for Estate of Peter A. H. Jackson, Incorporated, owner, filed June 13, 1940, an application for a variation from the requirements of the labor law as cited in an order and a decision of the acting borough superintendent of buildings; premises 154 East 23rd street, south side, 150 ft. west of Third avenue (Block No. 878, Lot No. 48), Borough of Manhattan; and

WHEREAS, Violation No. 4542, issued by the acting borough superintendent of buildings, dated September 20, 1939, reads:

"You will please take notice that there exists a violation of Section 274 of the Labor Law on the said premises, in that

Safe and unobstructed egress from termination of rear fire-escape is not provided as required by law.

You are hereby directed to provide safe and unobstructed egress from termination of fire-escape at these premises as required by law."

and

WHEREAS, said order was re-issued June 4, 1940, and referred to in decisions of the acting borough superintendent of buildings, dated December 26, 1939, and March 21, 1940, reading respectively:

"In answer to your letter of December 6th, 1939, we wish to advise you that our inspector reports rear fire escape has been connected to fire escape on adjoining building at the 2nd floor from which there is a fireproof passageway to street.

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Before the violation will be dismissed, the following objections must be removed:

1. File consent of adjoining owner to connect fire escape.
2. Fireproof passageway in connected building must be lighted."

"Referring to the above violation, also the hearing held at this office on February 28, 1940, in regard to same, please be advised that before egress from fire-escape at rear of building is accepted as conforming with the Labor Law, modification must be granted by the Board of Standards and Appeals, permitting use of fireproof passageway in No. 152 East 23rd Street."

and

WHEREAS, the building is seven stories (65 ft.) in height, 25 ft. by 98.75 ft. in area; of Class 3 construction; located in a business use B area district; erected in 1894; occupied as follows: sub-cellar, elevator machinery and boiler-room; cellar, restaurant, 6 persons; first story, printing shop, 4 persons; second story, embroidery shop, 5 persons; third story, dress manufacturing, 4 persons; fourth story, vacant; fifth story, watch dial manufacturing, 13 persons; sixth story, fishing tackle manufacturing, 5 persons; the building is equipped with a fire alarm system and fire drills are maintained; there is one interior stairs, 3 ft. wide, of wood construction, enclosed in partitions, and equipped with self-closing kalamein doors, and one fire escape located at the rear of building, which extends to the roof by stairs, and is connected at the second story balcony to the fire escape located on the rear of No. 152 East 23rd street; all windows on the course of the fire escape are fireproof; and

WHEREAS, the applicant contends that the recent construction of an apartment house abutting the rear of said premises cuts off the outlet from the fire escape through the yard of the rear building and thereby causing a violation to be placed against the premises; that permission from the owner of the building known and designated at 152 East 23rd street so as to join the second story fire escape balcony to his premises was obtained; that this work was done satisfactory to the Department of Housing and Buildings, but dismissal of the violation was denied pending the obtaining of a modification from the Board of Standards and Appeals; that the applicant requests the Board to grant a modification so as to allow egress through the adjoining building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the order of the acting borough superintendent of buildings, dated December 26, 1939, repeating a former decision of September 20, 1939, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that the second means of exit shall be maintained as proposed and as shown on plans marked "Received June 13, 1940", indicating the connection from the rear fire escape of the building under appeal to the rear fire escape of the adjoining building at No. 152, with access through a fireproof passageway direct to East 23rd street; that a consent of the adjoining owner shall be obtained and filed with the borough superintendent of buildings; that the fireproof passage through to East 23rd street shall be lighted at all times during working hours; that in all other respects the building and occupancy shall comply with the requirements of the labor law and all other laws, rules and regulations applicable thereto; that this variance shall continue only so long as conditions herein set forth are continued and maintained.

600-40-S.

APPLICANT—William Miltenberger, for Bankers Trust Company, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Variation of the labor law as cited in a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—145-151 East 32nd street, north

side, 95 ft. 6 in. east of Lexington avenue (Block No. 888, Lot Nos. 27 to 30, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: William Miltenberger.

ACTION OF BOARD—Application reopened, restored to Calendar, and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR —

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(600-40-S)

WHEREAS, William Miltenberger, for Bankers Trust Company, owner, filed June 3, 1940, an application for a variation from the requirements of the labor law as cited in a decision of the acting borough superintendent of buildings; premises 145-151 East 32nd street, north side, 95 ft. 6 in. east of Lexington avenue (Block No. 888, Lot Nos. 27 to 30, inclusive), Borough of Manhattan; and

WHEREAS, this application was withdrawn by vote of the Board June 18, 1940; and

WHEREAS, the applicant requested reopening of the application and restoration to the Calendar, to request permission to allow the present plate glass store front to remain as at present; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, a public hearing was held on this application July 2, 1940; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 1455-40, dated May 29, 1940, reads:

"1. Windows should be fireproof and comply with Section 264 of the Labor Law and Rule 503 of Industrial Code."

and

WHEREAS, the building is thirteen stories (158 ft. 3 in.) in height, 99 ft. 6 in. by 98 ft. 9 in. in area; of Class 1 construction; located in a business use district; erected in 1925, and occupied: cellar, storage and mechanical equipment, 5 persons; first story and mezzanine, store, 20 persons; second to thirteenth stories, inclusive, school, 1,850 persons; penthouse, showroom, 5 persons; it is proposed to be occupied: cellar, same; first story and mezzanine, same; second to thirteenth stories, inclusive, business and 25 per cent. manufacturing, 45 persons each story; penthouse, showroom, 5 persons; the building is equipped with a sprinkler, standpipe and interior fire alarm system, one stair and one fire tower, both of fireproof construction, and both extending from roof to street; and

WHEREAS, the applicant requests that a variation of the requirements of the labor law so as to permit the present plate glass store front and store occupancy as intended be granted; that all other windows in the building will conform with section 264 of the labor law and rule 503 of the Industrial Code.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in a decision of the borough superintendent of buildings, acting on Alt. Applic. No. 1455-40, Objection No. 1, which decision be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the requirements of the labor law shall be complied with other than as to the show windows on the street floor of the building; that such show windows shall consist of metal frames and sash and be glazed with plate glass.

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APPLIANCE SUBMITTED FOR APPROVAL.

561-38-SA.

APPLICANT—The Burrshell Company, agent, for the Clayton Manufacturing Company, owner.

SUBJECT—Kerrick Kleaner, Models J and L, approval of.

APPEARANCES—

For Applicant: J. A. Cortright.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(561-38-SA)

WHEREAS, the Burrshell Company, agent, for the Clayton Manufacturing Company, owner, filed April 25, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the "Kerrick Kleaner", Models J and L; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 561-38-SA.

Subject: Kerrick Kleaner, Models J and L, approval of.

An application was filed by the Burrshell Company, agent, for the Clayton Manufacturing Company, for approval of the Kerrick Kleaner, Model Vapospray. This application has been superseded by the application of J. A. Cortright, agent, for the Clayton Manufacturing Company, of Alhambra, California, owner, who filed April 25, 1940, an application with the Board of Standards and Appeals for approval of the Kerrick Kleaner, Models J and L, under the provisions of C26-191.0 (2.2.3), Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

This appliance was inspected and tested by a committee of the Board at 2923 Vernon boulevard, Long Island City, on June 5, 1940.

The appliance is known as a progressive type hot water heater and consists of a metal cabinet, well insulated, in which is located an oil burner with an approximate capacity of two gallons of No. 2 commercial distillate per hour. The oil burner system is operated by a Model 30 L-P Tuthill Pump.

The burner and fire box is encased in a 6-inch lining of refractory fireproof clay and is used to heat a continuous length of circular wound steel coil through which is passed 75 gallons of water per hour in the Model J and 150 gallons of water per hour in the Model L. The Model J has 100 ft. of 1/2-inch I.D. steel coil and the Model L 200 ft. of 5/8-inch I.D. steel coil.

The purpose of the burner and coil is to furnish vaporized hot water for cleaning purposes at a controlled nozzle temperature of 185 degrees.

Water is supplied to the machine by city water pressure. The city water line being connected directly to a small mixing tank that is encased within the machine and is controlled by a float valve. Floats and valves are so set as to prevent siphoning.

The purpose of the mixing tank is so that a liquid soap or detergent can be added to the water before it is pumped through the coil and heated.

Two special tanks are encased within the machine in which a liquid soap or detergent is mixed. That material is pumped into the mixing tank by an auxiliary pump which is operated by the master pump.

The oil circulating system consists of a ten-gallon fuel tank with a Model 30 L. P. Tuthill Pump forcing a continuous flow of oil through the lines and back to the supply tank.

Before the oil can enter the burner nozzle and be ignited by the continuous spark, it is necessary to open a thermostat regulating valve which puts a restriction against the return line, building up a back pressure which opens an actuating valve, set to open at eighty pounds, allowing the oil to enter the burner nozzle. The actuating valve is set to close at sixty pounds on dropping pressure.

The machine is protected by a thermostatic control with a heat regulating expansion and contraction, thermostat that automatically regulates the oil flow and shuts off the oil completely if the machine becomes overheated through water failure or manual errors.

The machine is equipped with Penn Relay and Pressure Switches for operating by remote control, so that the machine can be located in the boiler-room or a non-hazardous location and be operated from any part of the building.

On the basis of the test, it is recommended that the Kerrick Kleaner, Models J and L, be approved for *voluntary* installation in fireproof boiler-rooms or other fireproof rooms of garages when completely separated from the garage space by fireproof walls, with entrance to such room from the exterior of the building, with cleaning solution pipe line containing vapor solution only being permitted to pass into the garage and to be operated by remote control, the pipe to be sealed in the wall, on condition that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for voluntary installation under Cal. No. 561-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the "Kerrick Kleaner", Models J and L, *on condition* that the appliance be manufactured, installed, used, and labeled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

235-38-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for reopening and amendment—re Approval of Metal Bound Tongued and Grooved Gypsum Tile, Two Inch, Types I and K.

APPEARANCES—

For Applicant: J. J. Fenstermaker and G. W. Rockwood.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(235-38-SM)

WHEREAS, United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Metal Bound Tongued and Grooved Gypsum Tile, Two Inch, Types I and K; and

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WHEREAS, this material was approved by vote of the Board July 20, 1938, on certain conditions; and

WHEREAS, the Committee on Tests submitted a report, which reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Cal. No. 235-38-SM.

Re: Metal Bound Tongued and Grooved Gypsum Tile, Two Inch, Types I and K.

In view of the Board's action under Cal. No. 310-40-SM, the Committee on Tests recommends that this application be superseded by the approval granted under Cal. No. 310-40-SM on an improved type of this material.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended that the approval granted by the Board under Cal. No. 235-38-SM be superseded by the approval granted under Cal. No. 310-40-SM.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 20, 1938, so that as amended it shall read:

"Resolved, that the application for approval under Cal. No. 235-38-SM be and it hereby is superseded by the approval granted under Cal. No. 310-40-SM."

882-38-SM.

APPLICANT—John R. Parr, agent, for the Key Company, owner.

SUBJECT—Key Graphite Paste, approval of.

APPEARANCES—

For Applicant: John R. Parr.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(882-38-SM)

WHEREAS, John R. Parr, agent, for the Key Company, owner, filed October 13, 1938, an application with the Board of Standards and Appeals for approval of the material known as Key Graphite Paste; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 882-38-SM.

Subject: Key Graphite Paste for Metal Pipe Joints, Oil, Gun, etc.

John R. Parr, agent, for the Key Company, owner, filed October 13, 1938, an application with the Board of Standards and Appeals for approval of Key Graphite Paste (for metal pipe joints, oil, gas, etc.) under the provisions of C26-191.0 (2.2.3), Administrative Building Code.

This material is a compound composed of powdered graphite and water soluble ingredients and is intended primarily for scaling the joints on all type of oil handling equipment. The material is insoluble in oil, gasoline, kerosene, etc., and when subjected to heat expands and carbonizes.

The material has been approved by the Underwriters' Laboratories for use in joining threaded pipe connec-

tions or other closely fitting metal parts, to render joints tight against leakage but not suitable for use on hydraulic gasoline delivery systems.

The material has also been tested by the United States Navy Department, Bureau of Engineering, Report No. 7699, and recommended for use.

A report of the Kinetic Chemicals, Incorporated, Wilmington, Delaware, dated March 22, 1939, indicates that the Key Graphite Paste could satisfactorily seal joints in refrigerating systems.

On the basis of these tests, it is recommended that Key Graphite Paste be approved for *voluntary* use with screwed connections on oil and gasoline hose lines, except hydraulic gasoline delivery systems, on condition that wherever this type of material is used, such tests as are necessary shall be made by compressed air, and that each package of the material shall bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City for oil and gasoline lines under Cal. No. 882-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Key Graphite Paste, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

1190-39-SM.

APPLICANT—North American Cement Corporation, owner.

SUBJECT—North American Dark Portland Cement, approval of.

APPEARANCES—

For Applicant: Ansel T. Rogers.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1190-39-SM)

WHEREAS, North American Cement Corporation, owner, filed September 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as North American Dark Portland Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 17, 1940.

Cal. No. 1190-39-SM.

Re: North American Dark Portland Cement, approval of.

On September 27, 1939, the North American Cement Corporation filed an application for approval of North American Dark Portland Cement as manufactured by it at Catskill, New York, for use in New York City pursuant to section C26-312.0c-1.

The process of manufacture is as follows: The rock is drilled several weeks in advance of quarrying and is removed after blasting by electric shovels and conveyed in cars to an Allis Chalmers 24K gyratory

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crusher and the discharge from the crusher is by belt to a No. 9 hammer mill. The discharge from the hammer mill is by belt to a vibrating screen and the oversize rock is fed to a No. 7 hammer mill. The rock passing the vibrating screen and the discharge from the No. 7 hammer mill are conveyed to a two-compartment concrete storage bin.

The stone is then taken by gondola cars to a covered stone storage where it is placed in separate sections by traveling electric cranes. The stone is taken from stone storage by feeders which discharge by belt to two small bins from whence the stone is discharged by table feeders to two preeliminators, where water and clay slurry are added. The clay added at this point is controlled by variable speed ferris wheel feeders. The material discharged from the preeliminators is screened over vibrating hummer screens and is elevated to a small tank containing mechanical agitator and from there it is fed to four Allis Chalmers tube mills by controlled ferris wheel feeders. The discharge from the tube mills is pumped to four blending tanks and from the blending tanks is discharged into four storage tanks.

The finished slurry from these storage tanks is pumped to tubs located at the kilns and fed from these tubs to the kilns by ferris wheel feeders, the speed of which is regulated according to the speed of the kilns. Five kilns are used, four of which are 8 ft. by 182 ft. long and one 11 ft. by 185 ft. long. Firing is by pulverized coal from the front end of the kilns and the clinker zone temperature is maintained at approximately 2700 degrees, and checked continually by recording radiation pyrometers. The clinker is discharged from the kilns to four Allis Chalmers rotary coolers and one Allis Chalmers air-quenched cooler. From the coolers the clinker is conveyed to covered storage where it is divided into several sections.

The clinker is then removed from storage and fed by table feeder where gypsum is added by a table feeder which operates at a rate uniform with the clinker feeder. After gypsum is added, the clinker is then conveyed to four bins and fed by mechanical feeders to four 7 ft. by 26 ft. Allis Chalmers compeb mills.

The finished cement is removed from these mills to various storage bins and silos from whence it is drawn by screw conveyors to packing bins and packed by Bates packers into cotton and paper bags for shipment.

The controls of the manufacturing process are as follows: Check samples of the cement rock are taken when drillings are made in advance of quarrying. These samples are taken at a depth of 5 ft. and analyzed. In addition check samples are taken for analysis after the rock has been crushed in the hammer mills, so that it can be determined in which storage section it is to be placed. Due to the fact that the stone is stored separately according to analysis, it is possible to make whatever blend of rock is desired depending on analysis of check samples. Samples are taken at the raw tube mills for laboratory control and at the blending tanks when they are being filled. These blending tanks are so arranged that the laboratory can release one or all of them into any one of the storage tanks. These storage tanks are sampled after filling and a chemical analysis made for laboratory control. When the material is pumped from storage tanks after being analyzed and released by the laboratory it goes to kiln tanks where it is sampled every three hours for laboratory control. A clinker sample is taken from each kiln every hour for visual inspection and averages are taken of these samples at the end of eight hours for free lime, liter weight and soundness. On the average of twenty-four hours a sample is taken for complete chemical analysis of the clinker. Samples are taken for setting time, fineness and soundness from a continuous sampler which takes samples of the finished product. Samples are taken

from the continuous sampler each twelve hours for complete physical tests as well as a six-hour average sample taken for SO₃ determination and a twenty-four-hour average sample taken for complete chemical analysis.

It is estimated that there is a sufficient supply of consistently homogeneous raw materials available for forty years at the present rate of manufacture. Less than 1 per cent. coloring matter is added to provide the dark color.

Samples were selected at the mill by a representative of the Committee on Tests and delivered to the Haller Testing Laboratories, Plainfield, New Jersey, where physical tests and chemical analyses were made under the supervision of a representative of the Committee on Tests with the following results:

NORTH AMERICAN DARK PORTLAND CEMENT—PHYSICAL TESTS

	A.S.T.M. C-9-38	Fed. Spec. SS-C-191-A
<i>As Tested</i>		
Fineness:		
Passing No. 200 mesh		
96.9% .....	.....	.....
Passing No. 325 mesh		
89.7% .....	.....	.....
Surface Area 2020 Sq. Cm. Gm.	1500	.....
Soundness: O.K.	Sound	Sound
Initial Set (Gilmore)		
2 hrs. 25 min.	Min. 45 min.	Min. 60 min.
Final Set (Gilmore)		
4 hrs. 50 min.	Max. 10 hrs.	Max. 10 hrs.
Normal Consistency		
22.0% .....	.....	.....
Compressive Strength:		
(Average of six specimens made pursuant to A.S.T.M. C-109-37-T, W/C-0.80% by volume.)		
Age 3 days (p.s.i.) 1615	.....	
(Average of 5 specimens)		
Age 28 days (p.s.i.) 3926	.....	
Compressive Strength:		
(Average of 6 specimens made pursuant to Fed. Spec. SS-C-158).		
Age 3 days (p.s.i.) 1669	.....	900
Age 7 days (p.s.i.) 2764	.....	1800
Age 28 days (p.s.i.) 4125	.....	3000
Tensile Strength:		
(Average of 5 specimens made pursuant to A.S.T.M.c 77.)		
Age 3 days (p.s.i.) 305	.....	175
Age 7 days (average of 4 specimens) 361	275	275
Age 28 days (average of 6 specimens) 470	350	350

NORTH AMERICAN DARK PORTLAND CEMENT—CHEMICAL ANALYSIS

	A.S.T.M. C-9-38	Fed. Spec. SS-C-191-
<i>As Tested</i>		
SiO ₂	22.5%	.....
Al ₂ O ₃	4.8%	7.50
Fe ₂ O ₃	3.9%	6.00
CaO	63.5%	
MgO	1.7%	5.0
SO ₃	1.9%	2.0
Loss on Ignition .	0.66%	4.0
Insoluble Residue	0.29%	0.85
		0.75

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CALCULATED COMPOUNDS

C ₃ S	44.0%
C ₂ S	31.0%
C ₃ A	6.0%
C ₄ AF	12.0%
CaSO ₄	3.0%

On the basis of the foregoing data, it is recommended that North American Dark Portland Cement as manufactured by North American Cement Corporation at Catskill, New York, be approved for use in New York City pursuant to section C26-312.0c-1 of the Administrative Code as amended and approved by Local Law No. 26, March 29, 1940, when made to the specifications contained herein, on condition that monthly mill test reports certified by the manufacturer's chief chemist be filed with the Board and that all bags be stamped, labeled or marked: "Approved for Use in New York City by the Board of Standards and Appeals under Cal. No. 1190-39-SM", and that when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as North American Dark Portland Cement, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

1439-39-SM.

APPLICANT—The Imperial Brass Manufacturing Company, owner.

SUBJECT—Imperial Vacuum Breaker, Model M-1139, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(1439-39-SM)

WHEREAS, John G. Kelly, Incorporated, agent, for the Imperial Brass Manufacturing Company, owner, filed November 24, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Imperial Vacuum Breaker, Model M-1139; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Re: Cal. No. 1439-39-SM.

Subject: Approval of Imperial Vacuum Breaker, Model M-1139.

John G. Kelly, Incorporated, agent, for the Imperial Brass Manufacturing Company, owner, filed November 24, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Imperial Vacuum Breaker, Model M-1139, under the provisions of section C26-1277.0.h. (14.8.2.9), Administrative Building Code.

This appliance consists of a fitting constructed of high grade bronze for use on automatic closet flush valves for all purposes where flush valves are utilized, permitting full opening to the atmosphere in case of vacuum, equal to 1 inch cross sectional area. It is equipped with a cone-shaped specially treated element preventing rise of water to fixture through tubing, with limited restriction to waterway during time of flush, and also provided with specially treated rubber element to close atmospheric openings against spitting or leakage during the operating period of the flush valve.

This unit withstood the vacuum tests made February 28, 1940, by the Department of Water Supply, Gas and Electricity at the testing bench at 32 Vandewater street in the presence of the representatives of the manufacturer and of the Board of Standards and Appeals but further tests under water consumption conditions at the 24th street testing station of the Department of Water Supply, Gas and Electricity were made.

The unit was again subjected to tests at the vacuum bench on March 15, 1940. The unit successfully withstood a vacuum the equivalent of 28 inches of mercury and a duration test under a vacuum the equivalent of 25 inches of mercury for five minutes. An examination of the rubber parts of the unit failed to show any evidence of oxidation or vulcanization, and the rubber also apparently retained its resiliency. The applicant also submitted affidavit of laboratory tests, which is attached hereto.

As a result of these tests, it is recommended that the Imperial Vacuum Breaker, Model M-1139, be approved for use in New York City, on condition that the material bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1439-39-SM", or in lieu thereof, a die or stamp be made bearing the following inscription within a circle, around the periphery, at the top the word, "App'v'd" along the bottom "B.S. & A.", in the center two lines, upper line reading, "N.Y.C." lower line reading "Cal. No. 1439-39-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Imperial Vacuum Breaker, Model M-1139, on condition that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

123-40-SM.

APPLICANT—Paul Coste, Incorporated, owner.

SUBJECT—Royalite (Rubber Tile Flooring), approval of.

APPEARANCES—

For Applicant: William M. Booker.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(123-40-SM)

WHEREAS, Paul Coste, Incorporated, owner, filed January 31, 1940, an application with the Board of Standards and Appeals for approval of the material known as Royalite (Rubber Tile Flooring); and

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WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 26, 1940.

Cal. No. 123-40-SM.

Re: Royalite (Rubber Tile Flooring), approval of.

On January 31, 1940, Paul Coste, Incorporated, owner, of Providence, Rhode Island, filed an application with the Board of Standards and Appeals for the approval of Royalite (Rubber Tile Flooring) under the requirements of C26-178.0 b (2.1.2.5) and C26-667.0, Par. 4a (10.9.2.4).

Royalite consists of a rubber formula containing approximately 25 per cent. new crude rubber which is mixed on mixing mills with sufficient sulphur filler, metallic oxide pigment, sunproof ingredients, antioxidants and accelerators so as to produce a product that will resist abrasion and will not be affected by oxidation and other deteriorating influences on floors.

The ingredients are carefully weighed out on a loading platform and the batch is put into a Banbury mixer and thoroughly mixed. It is then taken out of the Banbury and put on a large rubber mill where it is again thoroughly blended and thence is calendared to gauge on a rubber calendar. Complete vulcanization of this product is effected in large presses of enormous capacity until complete vulcanization is obtained. It is then removed from the press and sanded to gauge, after which these sheets are cut up into standard size of tiling.

Inspections are maintained throughout the manufacturing process, and to insure uniformity time intervals are provided during the process of manufacture permitting the material to cool and shrink preparatory to further processing. The cycle of manufacture requires about six days. It is a homogeneous product, containing no cotton fibre, cotton sheeting or inserted cloth. The marbleizing extends through the entire thickness of the material which is manufactured in thicknesses of $\frac{1}{8}$ inch, $\frac{3}{16}$ inch, $\frac{1}{4}$ inch and $\frac{3}{8}$ inch and in sizes 3 in. x 3 in., 4 in. x 4 in., 6 in. x 6 in., 9 in. x 9 in., 12 in. x 12 in. on to 36 in. x 48 in.

The adhesive used to secure Royalite tile is a water-proof resinous type of cement with an alcohol base manufactured by the applicant. Lignin paste or latex cement is also used. When laid over wood floors a layer of felt is provided under the tile.

Physical tests on samples of these materials were performed at the Detroit Testing Laboratory, Detroit, Michigan, report dated June, 1932, giving a comparison between this material and battleship linoleum, wherein they report that the test to develop the following properties was satisfactory—abrasion, pressure, fire, absorbency, acid and alkali, staining, pliability and voltage resistance.

A fire and absorption test was conducted on this material by Columbia University (Report No. 1530). In the absorption test, a specimen 3 in. x 3 in. x $\frac{1}{4}$ in. was dried in an oven for twenty-four hours at a temperature not exceeding 140 degrees Fahrenheit, after which it was immersed in water for forty-eight hours with per cent. absorption of 0.68 per cent. The fire test (Columbia Test No. 32110) was conducted for a period of forty minutes in accordance with the Columbia time-temperature curve for determination of incombustibility of materials. The material affected by the flame did not burn upon removal of flame. The area affected was approximately circular, 6 inches in diameter, blistered around the edges and the burned material was caked and brittle. During this test this material did burn and accordingly could not be classified as incombustible material under C26-88.0 (1.80).

Recommendation

On the basis of the foregoing data, it is recommended that Royalite (Rubber Tile Flooring) in thicknesses and sizes as described herein be approved under C26-178.0 b (2.1.2.5) and as a wearing surface under C26-667.0, Par. 4a (10.9.2.4) to be installed as provided therein, and that the use of this material is *not to be permitted* below grade, and that precautions shall be observed in the laying of this material that the sub-floor be dried so as to provide a satisfactory bond between the sub-floor and the tile; that when used over wooden sub-floors, felt $\frac{1}{16}$ inch in thickness either dried or asphalt saturated secured to such sub-floor by lignin paste shall be used.

The Committee further recommended that each package of this material shall be tagged, stamped or labeled, reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 123-40-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Royalite (Rubber Tile Flooring), *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

310-40-SM.

APPLICANT—U.S. Gypsum Company, owner.

SUBJECT—U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank, approval of.

APPEARANCES—

For Applicant: J. J. Fenstermaker and G. W. Rockwood.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(310-40-SM)

WHEREAS, U.S. Gypsum Company, owner, filed March 26, 1940, an application with the Board of Standards and Appeals for approval of the material known as U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Cal. No. 310-40-SM.

Re: U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank.

Under Cal. No. 235-38-SM, the Board approved a similar material on July 20, 1938. Since such approval the material has been redesigned and the applicant accordingly filed a new application on the improved material described as follows:

U.S.G. Metal Bound Gypsum Plank are manufactured by the applicant at the plants located in Philadelphia, Pennsylvania; Oakfield, New York, and New Brighton, Staten Island, from calcined gypsum, meeting the re-

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quirements of C26-312.0 d (7.1.1.7.4) to which is added not more than 3 per cent. by dry weight of wood fibre meeting the requirements of C26-310.0 (7.1.1.5). These plank are manufactured in units 2 in. by 15 in. by 10 ft. Long Span and 2 in. by 15 in. by 8 ft. Medium Span. The Long Span plank are bound on all four edges with No. 21 gauge galvanized metal formed into tongue and groove shapes with cut edges expanded to insure maximum bond with the gypsum. The Medium Span planks are smaller and are bound, except the metal edging, with No. 26 gauge. Further reinforcement in both planks is provided by means of a galvanized electric welded mesh consisting of two No. 12 gauge and two No. 14 gauge wires running longitudinally and spaced respectively, 4¼ in., 6 in. and 4¼ in. with No. 14 gauge wires secured by resistance welding at 4 inch intervals across the longitudinal wires.

These plank are manufactured as follows: The metal edge is formed into tongue and groove shapes under presses and the edges expanded by an expanding machine. These edges are then formed into frames, clinched at the corners by small angles and laid into molds to insure their proper dimensions. The electric-welded galvanized mesh described above is then installed in the edging and supported on the lower expanded metal edge. Calcined gypsum is then mixed to pre-determined consistency and poured into the metal edge frames and screeded off and allowed to stand in the mold until the gypsum has finally set. The planks are then placed in a kiln for a period of about eight to twelve hours at a kiln temperature of not more than 150 degrees Fahrenheit, after which they are ready for shipment.

The method of manufacture was witnessed by a representative of the Board and samples were selected for load tests, hereinafter described, which were performed under the direction of Professor W. J. Krefeld of Columbia University.

DESCRIPTION OF PANELS AND TEST RESULTS

Columbia University Report No. 2498.

Three Feet Span

The test panel consisted of precast 2 in. by 15 in. by 8 ft. U.S.G. Metal Bound Plank forming a deck having a total width of 9 ft. 3 in. and placed over supports so constructed as to provide three equal spans of 3 ft. c-c with an area under load of 27.75 sq. ft. in all spans. The total width was composed of seven full 15 in. width units with two partial units 3 in. wide at each longitudinal edge. The planks were secured to the top flange of the four 10-inch I beams with beam clips consisting of 16-inch gauge galvanized iron approximately 1-9/16 in. by 1¼ in. in area and crimped to insure stiffness. The planks were then wedged at the edges to insure positive engagement of the tongues and grooves.

In placing the planks on the panel the ends were placed in pre-determined locations, in some cases, near the support and in other cases, along the middle third of the span so as to develop the integrity of the tongue and groove connection. In order to simulate continuity the test panel was arranged so that the center span would be loaded in ratio of four to one for each of the end spans. The loading placed on all spans was in accordance with the requirements of C26-626.0 (10.3.8). Third point loading containers were placed over the third point supports in each span and loading was accomplished by means of bags of steel balls and sand. The loading on each span was in accordance with the pre-determined ratio of final loads. Under the action of loads applied in this matter a negative moment of 1/12 WL was developed over the intermediate supports and a positive moment of 1/12 WL throughout the middle third of the center span. The loading in the center

container was increased in increments of 2,000 pounds and simultaneously in the end containers in increments of 500 pounds with results as follows:

<i>Total Load Pounds Center Span</i>	<i>Unit Load Pounds Per Sq. Ft. Center Span</i>	<i>Average Deflection Inches</i>
807	29	0
4687	169	.045
10683	385	.105
16923	610	.145
23085	832	.235
29181	1052	.530

At the final load the transverse end butt joints showed a tendency to open up with the adjacent gypsum ruptured. There was no evidence of rupture of the metal edging of the tile units. On the basis of the foregoing data, the fraction of 1/6 as provided for in C26-626.0 (10.3.8) would be 175 pounds per sq. ft.

Columbia University Report No. 2495.

Four Feet Span

The test was repeated using the same material and the same methods as outlined in the preceding test except that the spans were 4 ft. c-c and the area of the panels over each span was 37.0 sq. ft. with the same loading as described in the aforementioned test. The results are as follows:

<i>Total Load Pounds Center Span</i>	<i>Unit Load Pounds Per Sq. Ft. Center Span</i>	<i>Average Deflection Inches</i>
959	26	0
5041	136	.075
11063	299	.215
15223	411	.350
20787	562	....

At the final load the center span collapsed rupturing the gypsum and all metal edges at load points. On the basis of the foregoing data, the fraction of 1/6 as provided for in C26-626.0 (10.3.8) would be 93 pounds per sq. ft.

Columbia University Report No. 2497.

Five Feet Span

The test as described previously was repeated on the U.S.G. Long Span Plank 2 in. by 15 in. by 10 ft. except that the spans were 5 ft. c-c and the area of the panels over each span was 46.25 sq. ft. with the same loading as described in the aforementioned test, with results as follows:

<i>Total Load Pounds Center Span</i>	<i>Unit Load Pounds Per Sq. Ft. Center Span</i>	<i>Average Deflection Inches</i>
807	17	0
4687	101	.080
10818	234	.240
14985	324	.360
19119	413	.575
25203	545	....

Failure occurred rupturing the gypsum and metal edging under a load point of the center span. On the basis of the foregoing data, the fraction of 1/6 as provided for in C26-626.0 (10.3.8) would be 90 pounds per sq. ft.

Columbia University Report No. 2496.

Six Feet Eight Inch Span

A similar test to the foregoing was made on a panel constructed on spans 6 ft. 8 in. c-c using U.S.G. Long Span Plank with the same loading as described in the

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aforementioned tests with an area of 61.67 sq. ft. on each span, with the following results:

Total Load Pounds Center Span	Unit Load Pounds Per Sq. Ft. Center Span	Average Deflection Inches
807	13	0
4889	79	.195
8932	145	.440
15016	243	1.195
17044	276	4.090
17772	288	....

Failure occurred at the final load by rupturing the gypsum and metal edging over one of the supports, the gypsum having ruptured over the other support under one of the other load points. On the basis of the foregoing data, the fraction of 1/6 as provided for in C26-626.0 (10.3.8) would be 48 pounds per sq. ft.

The results of the foregoing tests show that the end joints could be staggered and need not all fall on the supports. The manner in which the panel carried the load to failure definitely indicated continuity between mating planks.

RECOMMENDATIONS

On the basis of the foregoing tests, the Committee recommends that the U.S.G. Tongue and Groove, Metal Bound Long and Medium Span Gypsum Plank be approved under C26-626.0 (10.3.8) for spans as follows:

For roofs of Class 1 and Class 2 construction where the fire-protective covering is omitted from roof trusses as provided in C26-618.0 (10.2.8) for live load of 40 pounds per sq. ft. For Medium Span Plank the maximum span shall be 4 ft. c-c and for Long Span Plank the maximum shall be 6 ft. 8 in. c-c. Where the span is 6 ft. 8 in. c-c on flat roofs the weather surfacing shall not exceed 8 pounds per sq. ft.

As a floor assembly in Class 2 construction as a 2-inch reinforced gypsum flooring when the supporting steel joists or beams are protected with 7/8-inch gypsum or cement plaster on metal lath under C26-620.0c (10.3.2.3, sub. 2). The span on Medium Span Plank shall be not more than 3 ft. c-c and that for Long Span Plank shall be not more than 5 ft. c-c with live loads of 40 pounds per sq. ft. uniformly distributed.

As a floor assembly in Class 3 construction under C26-241.0 (3.2.3) where no fire-resistive rating is required except for permitted ceiling protection as provided in C26-669.0 (10.11) and for live uniformly distributed loads as follows:

Residences and sleeping quarters 40 pounds per sq. ft. C26-344.0 a (7.3.2.2.1).

Office space 50 pounds per sq. ft. C26-344.0 b (7.3.2.2.2).

Public assembly places other than theatres 60 pounds per sq. ft. C26-344.0 (7.3.2.2.3). When so used the Medium Span Plank shall be limited to a maximum span of 3 ft. c-c and the Long Span Plank shall be limited to a maximum span of 5 ft. c-c.

Whenever U.S.G. Long Span or Medium Span Plank are used, precautions shall be taken to align the top flange surface of all beams in the same plane and each beam shall be placed to provide at least 2 in. level bearing at all supports. No U.S.G. plank shall be used as a floor unless it is surfaced with a cinder concrete topping or other equivalent material so as to protect against punching shear. Planks wherever used shall be so placed as to provide a minimum of two bearing points for each plank. Holes as required may be provided, but in cutting such holes care shall be exercised so that the metal edging or wire reinforcement is not cut in any way.

It is further recommended that each plank be tagged, labeled or marked "U.S.G. Medium Span or U.S.G.

Long Span approved by the Board of Standards and Appeals for use in New York City under Cal. No. 310-40-SM".

This approval supersedes the approval granted under Cal. No. 235-38-SM.

(Sgd.) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

413-40-SM.

APPLICANT—Lee Campbell, agent, for the Weber Dental Manufacturing Company, owner.

SUBJECT—Weber Vacuum Breaker for Dental Cuspidors, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(413-40-SM)

WHEREAS, Lee Campbell, agent, for the Weber Dental Manufacturing Company, owner, filed April 20, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Weber Vacuum Breaker for Dental Cuspidors; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Cal. No. 413-40-SM.

Subject: Approval of the Weber Vacuum Breaker for Dental Cuspidors.

Lee Campbell, agent, for the Weber Dental Manufacturing Company, owner, filed April 20, 1940, an application with the Board of Standards and Appeals for approval of the Weber Vacuum Breaker for Dental Cuspidors under the provision of C26-1277.0 (14.8.2.8.), Administrative Building Code, and the Submerged Inlet Rules of the Board of Standards and Appeals.

This unit was subjected to a test at 32 Vandewater street by the Department of Water Supply, Gas and Electricity in the presence of representatives of the owner and of the Board of Standards and Appeals.

The unit is a dental cuspidor equipped with an aspirator and cuspidor, both of which are classified as submerged inlets. The aspirator is protected from siphonic action by a vacuum breaker which employs a deterrent checking principle, while the cuspidor submerged inlet is protected with a vacuum breaker employing an air-port with no deterrent feature. Upon being subjected to an equivalent of 28 inches of mercury, the aspirator successfully withstood the tests without permitting any simulated contaminated water being drawn into the

MINUTES

riser. The submerged inlet to the cuspidor, however, upon being subjected to the same test, permitted simulated contaminated water to be drawn into the riser.

A further test was made on a redesigned unit similar to the former unit, but utilizing a deterrant check under vacuum conditions, June 19, 1940, and as described in the previous report on the original test, the dental cuspidor is equipped with an aspirator and cuspidor, both of which were classified as submerged inlets. Both submerged inlets of the apparatus successfully withstood 26 inches of vacuum and also endurance tests of five minutes under 23 inches of vacuum.

As a result of these tests, it is recommended that the Weber Vacuum Breaker for Dental Cuspidors be approved for use in New York City under C26-1277.0 (14.8.2.8), Administrative Building Code, on condition that the material bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 413-40-SM", or in lieu thereof, a die or stamp be made bearing the following inscription within a circle, around the periphery, at the top the word "App'v'd", along the bottom "B.S. & A.", in the center two lines, upper line reading "N.Y.C.", lower line reading "Cal. No. 413-40-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Weber Vacuum Breaker for Dental Cuspidors, *on condition* that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

416-39-SM.

APPLICANT—Northern Indiana Brass Company, owner.

SUBJECT—Application for reopening—amendment of resolution to include Nibcoking Anti-Siphon Ballcock No. 09A.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with report of Committee on Tests.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(416-39-SM)

WHEREAS, Northern Indiana Brass Company, owner, filed April 3, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Nibco Ace Type Back-Siphon Ballcock; and

WHEREAS, this material was approved by vote of the Board June 7, 1939; and

WHEREAS, the owner requested a reopening of the application and amendment of the resolution to include approval of the Nibco King Anti-Siphon Ballcock, No. 09A; and

WHEREAS, this application was reopened by vote of the Board June 4, 1940, and the material referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Re: Cal. No. 416-39-SM.

Subject: Amendment of resolution to include Nibco King Anti-Siphon Ballcock No. 09A.

The Board of Standards and Appeals under date of June 7, 1939, approved the Nibco Ace Type Back-Siphon Ballcock. The Northern Indiana Brass Company requested a reopening of the application to include approval of the Nibco King Anti-Siphon Ballcock No. 09A. This application was reopened by vote of the Board June 4, 1940.

The mechanical principle of the vacuum breaker of this ballcock is that the water upon entering the hush pipe chamber opens a double-seated check valve, forcing the check against the airport opening. When the flow of water ceases or there are negative pressure conditions in the supply pipe the double seat check is designed to close against the waterway opening and act as a deterrant under vacuum conditions.

A test was made on June 12, 1940, at 32 Vandewater street, Manhattan, by the Department of Water Supply, Gas and Electricity in the presence of representatives of the Board of Standards and Appeals and the manufacturer.

Some defects were noted at this test and a further test was made June 19, 1940, on an improved unit, in which the vacuum breaker feature has been improved in that the double face check was fitted to the seats in a manner that provided for proper seating and the hinges of the check formerly a cotter pin was replaced by a stainless steel bearing.

The unit was subjected to a vacuum equivalent of 26 inches of mercury without permitting any simulated contaminated water being drawn into the riser and subsequently withstood an endurance test of five minutes under a vacuum equivalent of 23 inches of mercury.

It is recommended that the resolution of the Board be amended to include the approval of the Nibco King Anti-Siphon Ballcock No. 09A under the same conditions as are provided therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended that the resolution of the Board be amended so as to include approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 7, 1939, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the material known as the Nibco Ace Type Back-Siphon Ballcock and the Nibco King Anti-Siphon Ballcock, No. 09A, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report and the report of June 6, 1939."

611-40-SM.

APPLICANT—Bridgeport Brass Company, owner.

SUBJECT—Bridgeport Brass Company Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

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THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(611-40-SM)

WHEREAS, the Bridgeport Brass Company, owner, filed June 7, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Bridgeport Brass Company Vacuum Breaker; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 27, 1940.

Re: Cal. No. 611-40-SM.

Subject: Bridgeport Brass Company Vacuum Breaker, approval of.

The Bridgeport Brass Company, owner, filed June 7, 1940, an application with the Board of Standards and Appeals for approval of the Bridgeport Brass Company Vacuum Breaker under the provisions of C26-1277.0 (14.8.2.8), Administrative Building Code, and the Submerged Inlet Rules of the Board of Standards and Appeals.

This unit was tested at 32 Vandewater street at the testing bench by the Department of Water Supply, Gas and Electricity in the presence of representatives of the manufacturer and of the Board of Standards and Appeals.

This unit is designed as a vacuum breaker for flushometer supplied units only. The mechanical principle utilizes a double-faced check arrangement which, when no water is flowing through the unit, closes the waterway and opens the airport. Upon the introduction of a flow through the unit, the double-faced check—the side of which facing the waterway being spoon-shaped—swings on its axis and effectually closes the airport. The airport face of the check is equipped with a changeable rubber gasket and the vacuum breaking feature is so designed as to be removed from the shell for replacement or repair.

The unit was subjected to a test of 26 inches of vacuum without permitting any simulated contaminated water being drawn into the riser and subsequently successfully withstood an endurance test of five minutes under 23 inches of vacuum. It allowed a sufficient velocity and flow under a residual head of six pounds to effectively flush the closet bowl and, under repeated operating tests, no escape of water was noticed through the airport.

As a result of these tests, it is recommended that the Bridgeport Brass Company Vacuum Breaker for flushometer units only be approved under C26-1277.0 (14.8.2.8), Administrative Building Code, for use in New York City, on condition that the material bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 611-40-SM", or in lieu thereof, a die or stamp be made bearing the following inscription within a circle, around the periphery, at the top the word "App'v'd", along the bottom "B.S. & A.", in the center two lines, upper line reading "N.Y.C.", lower line reading "Cal. No. 611-40-SM".

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Bridgeport Brass Company Vacuum Breaker, on condition that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

GENERAL RESOLUTION.

1464-39-GR.

SUBJECT—Amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Cal. No. 1139-39-GR.

APPEARANCES—

For Applicant: J. Knott.

ACTION OF BOARD—General Resolution reopened and amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1464-39-GR)

WHEREAS, applications have been filed with the Board of Standards and Appeals for consideration of the applicants as approved inspection agencies, relative to Opening Protective Assemblies; and

WHEREAS, the Board approved certain applicants in accordance with reports of the Committee on Tests under dates of December 18, 1939, and April 16, 1940; and

WHEREAS, an application for approval has been filed by the George F. Rider Company; and

WHEREAS, this application was referred to the Committee on Tests, report of which Committee reads:

REPORT OF COMMITTEE ON TESTS.

July 1, 1940.

Re: Cal. No. 1464-39-GR.

Subject: Opening Protective Assembly Inspection.

Agencies: Addition of the Inspection Agency—George F. Rider Company.

George F. Rider Company filed on June 14, 1940, a request for consideration as an approved inspection agency under the rules for the Inspection of Opening Protective Assemblies. The president of the company, Herman R. Neff, Licensed Professional Engineer No. 314, has submitted his qualifications and those of the inspector, Ralph F. Amos, Licensed Professional Engineer No. 3710, who will specialize in this phase of the work.

The Committee on Tests have reviewed their qualifications and experience, and on the basis of such data recommend that the George F. Rider Company, of Cleveland, Ohio, be approved as an inspection agency with the work of inspection to be done by Herman R. Neff, Licensed Professional Engineer No. 314, and Ralph F. Amos, Licensed Professional Engineer No. 3710, under the provisions of the rules of the Board of Standards and Appeals on Inspection of Opening Protective Assemblies, Cal. No. 1139-39-SR, and that such approval shall remain in force until rescinded by the Board and that all inspections shall be made personally by Herman R. Neff or Ralph F. Amos.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

MINUTES

and
WHEREAS, this report recommended the approval of the George F. Rider Company as an inspection agency; and
WHEREAS, this application was reopened by vote of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1939, as amended April 16, 1940, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the inspection agencies set forth in the reports of the Committee on Tests under the conditions so set forth."

Adjourned, 5:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partition shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solid between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partition covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 29

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to July 16, 1940.

Cal. No. Department. Premises Affected.

761-40-A.....F.D.....Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City, 22458-L.C.

762-40-S.....H.B.M....204 East 56th street, south side, 90 ft. east of Third avenue (Block No. 1329, Lot No. 44¼), Borough of Manhattan, N.B. 138-40.

763-40-A.....H.B.Q.....163-13 to 163-17 Jamaica avenue, north side, 29.89 ft. east of 163rd street (Block No. 9793, Lot No. 11), Jamaica, Borough of Queens, Alt. 1477-40.

764-40-A.....H.B.M....92-130 Centre street, 48-82 Baxter street, 121-133 White street and 149-165 Leonard street, two (2) city blocks (Block No. 167, Lot Nos. 1-51, inclusive), Borough of Manhattan. Decision.

765-40-A.....H.B.M....440-448 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan, Drop Curb Applic. 83-40.

766-40-A.....H.B.B.....1-17 South 10th street, north side, 90.83 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn, Alt. 2866-40.

767-40-SA.....Westinghouse A-3, A-3R—No. 3 Elevator Door Hangers, Appliance

768-40-SA.....Westinghouse B-3 and B-3R Elevator Door Hangers, Appliance.

769-40-A.....H.B.B.....300-304 First street, southwest corner of Fifth avenue (rear building); (Block No. 969, Lot No. 38), Borough of Brooklyn, Alt. 1744-40.

770-40-A.....F.D.....10 Gansevoort street, south side,

149 ft. west of West Fourth street (Block No. 627, Lot No. 38), Borough of Manhattan,

Decision—re 18535-L.C.

771-40-A.....F.D.....117-119 West 39th street, north side, 200 ft. west of Sixth avenue (Block No. 815, Lot No. 20), Borough of Manhattan, Decision.

772-40-BZ....H.B.B.....458-462 Hudson avenue and 54-62 DeKalb avenue, southwest corner (Block No. 2093, Lot No. 62), Borough of Brooklyn, Drop Curb Applic. 643-40.

773-40-A.....H.B.B.....437-451 66th street, north side, 307 ft. east of Fourth avenue (Block No. 5827, part of Lot No. 27), Borough of Brooklyn, N.B. 1610-40.

774-40-SM.....Gibsonburg and Superspread Brands of Finishing Hydrated Lime, manufactured by The Gibsonburg Lime Products Company, Material.

775-40-BZ....H.B.Q.....54-44 74th street, northwest corner of 57th avenue (Block No. 2803, Lot Nos. 14 and 17, and Block No. 2804, Lot Nos. 1 and 10), Maspeth, Borough of Queens, N.B. 4493-40.

776-40-A.....H.B.Q.....54-44 74th street, northwest corner of 57th avenue (Block No. 2803, Lot Nos. 14 and 17, and Block No. 2804, Lot Nos. 1 and 10), Maspeth, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street), N.B. 4493-40.

777-40-SM.....Neva-Flame (Flameproofing Compound), manufactured by Neva-Moth Corporation of America, Material.

778-40-A.....F.D.....233-243 Herkimer street, north side, 305 ft. east of New York avenue (Block No. 1862, Lot No. 14), Borough of Brooklyn,

4851-L.F. and Decision

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779-40-A.....F.D.....1-4 Clatham square and 2 Mott street, northwest corner (Block No. 162, Lot No. 1), Borough of Manhattan,

Decision.

780-40-A.....H.B.M.....28-36 Gold street, 91-101 John street and 1-21 Cliff street (Block No. 76, Lot Nos. 10, 11, 19 and 22), Borough of Manhattan, Alt. 2136-40.

781-40-S.....H.B.M.....11 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue, and 20 West 43rd street (Block No. 1258, Lot No. 21), Borough of Manhattan, B.N. 2665-40.

782-40-A.....H.B.Q.....126-02 to 126-08 Northern boulevard, 33-01 126th street, southeast corner, and 126-01 34th avenue (Block No. 1820, Lot No. 1), Flushing, Borough of Queens, Alt. 572-39.

783-40-A.....H.B.B.....223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119 Lot No. 43), Borough of Brooklyn, Alt. 3359-40.

784-40-A.....F.D.....47-02 to 47-08 5th street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens, 4823-L.F. and Decision.

785-40-A.....F.D.....46-55 to 46-59 Metropolitan avenue, north side, 522 ft. east of Newtown Creek (Block No. 2611, Lot Nos. 203 and 206), Maspeth, Borough of Queens, 4808-L.F.

786-40-A.....H.B.Q.....72-04, 72-08, 72-12, 72-16, 72-20, 72-24, 72-28 and 72-32 Hollis Court boulevard, southwest corner of Richland avenue (Block No. 7226, part of Lot No. 140), Flushing, Borough of Queens, N.B. 4513-40.

787-40-A.....H.B.Q.....173-03, 173-07 and 173-11 Fairchild avenue, northwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens, N.B. 4558-40 to N.B. 4560-40, inclusive.

788-40-A.....11.B.Q.....173-04, 173-08 and 173-12 Fairchild avenue, southwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens, N.B. 4555-40 to N.B. 4557-40, inclusive.

789-40-BZ.....H.B.B.....656-660 Fulton street, south side, 24 ft. west of South Elliott place, and 107-115 Fort Greene place, east side, 104 ft. south of Lafayette avenue (Block No. 2113, Lot Nos. 32, 33, 34 and 17-21, inclusive), Borough of Brooklyn, Drop Curb Applic. 1310-40.

790-40-SM.....William J. Plander Solid Concrete and Cinder Blocks (sizes 4 in., 6 in. and 8 in. by 8 in.), manufactured by William J. Plander, Material.

791-40-A.....F.D.....Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks), in New York City, 22485-L.C.

792-40-A.....F.D.....1431 Webster avenue, west side, 347 ft. south of East 171st street (Block No. 2887, Lot No. 88), Borough of The Bronx, 20358-L.C. and Decision.

793-40-A.....F.D.....56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan, 22475-L.C.

794-40-A.....F.D.....6914-6918 Fifth avenue, west side, 102 ft. 8 $\frac{5}{8}$ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn, 4631-L.F. and Decision.

Restored to Calendar.

109-40-A.....F.D.....35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn, 3896-L.F.

674-40-S.....H.B.M.....333-337 Sixth avenue and 2-8

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Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan, Alt. 2650-39.

504-27-BZ....H.B.Bx...200-218 West 230th street, southwest corner of Broadway (Block No. 3402, Lot No. 645), Borough of The Bronx, Alt. 75-40.

61-32-BZ....H.B.B.....64-70 Neptune avenue, southwest corner of Hoff street (Block No. 7516, Lot No. 2371), Borough of Brooklyn, Applic. 585-32.

94-38-BZ....H.B.Q.....89-04 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens, Misc. Applic. 883-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On July 12, 1940, Paul Friedman, attorney, served on Board petition and order of certiorari in behalf of T. H. Frazer Mortgage Corporation, owner, in re decision of Board of May 14, 1940, refusing to reopen this Application No. 93-33-BZ, affecting premises 246-250 Atlantic avenue, Borough of Brooklyn, relating to erection and maintenance of a gasoline station.

RULES

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JULY 16, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 417-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of Victor Greiff, applicant, on behalf of Helen Greiff and Lotti J. Greiff, owners, to permit in a residence use district and, also, "G" area district, the erection and maintenance of a one-car garage, accessory to the dwelling on the premises; said garage does not conform with the "G" area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Rockaway Beach (Neponsit), Borough of Queens.

CAL. NO. 485-40-BZ—Application, May 7, 1940, under section 7b of the building zone resolution, of Emanuel M. Glick, applicant, on behalf of Methill Realty Corporation, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

CAL. NO. 421-40-BZ—Application, April 24, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of W. Goadby Loew and United States Trust Company of New York, trustee of Estate of Charles F. Rowe, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

CAL. NO. 415-40-BZ—Application, April 22, 1940, under sections 7b and 7c of the building zone resolution, of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, to permit,

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partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 193-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of A. Paul Loshen, applicant, on behalf of Charles Weber, owner, to permit in a residence use district the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appurtenant to a multiple dwelling; garage space is for the use of tenants only; premises 175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1447-39-BZ—Application, November 28, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Marie Hediger, owner, to permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

CAL. NO. 814-28-BZ—Application of William Reich, applicant, on behalf of John Cestaro, Patrick LaTrace and Joseph Cestaro, owners, reopened October 24, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board); premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

CAL. NO. 436-40-BZ—Application, April 25, 1940, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Mollie Schorr, owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 465-40-BZ—Application, May 3, 1940, under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, of Samuel Gardstein, applicant, on behalf of Madison Arms, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than five (5)

CAL. NO. 555-27-BZ—Application of Conroy and Hardy, applicants, on behalf of Elizabeth W. Herman, owner, reopened February 14, 1940, under alleged new facts, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Properties, Incorporated, owner, reopened May 9, 1939, for rehearing by order of the court, under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a

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motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Leferts boulevard (avenue); (Block No. 3322, Lot No 25), Kew Gardens, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 272-40-BZ—Application, March 12, 1940, under sections 7g and 21 of the building zone resolution and section 60 of the multiple dwelling law, of Goule de Neergaard, applicant, on behalf of Spuyten Duyvil Tower, Incorporated, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises west side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

CAL. NO. 289-40-BZ—Application, March 18, 1940, under sections 7a, 7c and 21 of the building zone resolution, of William H. Fuhrer, applicant, on behalf of Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee), to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

CAL. NO. 30-40-BZ—Application, January 9, 1940, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Central Savings Bank, owner (Harry Bluthman, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

CAL. NO. 1613-17-BZ—Application of William Shary, applicant, on behalf of Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit,

partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station; premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 407-40-BZ—Application, April 15, 1940, under sections 7a, 7c and 21 of the building zone resolution, of King and Lynch, applicants, on behalf of The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 16, 1940, 2 P. M.

Appeals from Administrative Decisions.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

673-40-A—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under Section 35, General City Law—re Bed of Mapped Street).

689-40-A—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under Section 35, General City Law—re Bed of Mapped Street).

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- 1535-39-A—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.
- 1536-39-A—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.
- 1537-39-A—155-04 Killarney street, southwest corner of 155th avenue Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.
- 1538-39-A—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.
- 525-40-A—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.
- 603-40-A—269 Avenue "C", west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.
- 606-40-A—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.
- 509-40-A—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.
- 547-40-A—233 South Third street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.
- 438-40-A—1009 Winthrop street, south side, 75 ft. west of 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.
- 42-40-A—59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn.
- 654-40-A—1017 Avenue "K", north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.
- 656-40-A—38-42 Second avenue, west side, 6th street Basin, Gowanus Canal (Block No. 990, Lot No. 1), Borough of Brooklyn.
- 688-40-A—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.
- 1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.
- 397-40-A—2222 Homecrest avenue, west side, 180 ft. south of Avenue "V" (Block No. 7372A, Lot No. 16), Borough of Brooklyn.
- 564-40-A—2-42 Milford street, southwest corner of Atlantic avenue, and 13-27 Montauk avenue (Block No. 3976, Lot No. 27), Borough of Brooklyn.
- 618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.
- 664-40-A—42-14 West street, southwest side, 125 ft. southeast of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens.
- 693-40-A—474 Johnson avenue, south side, 100 ft. west of Porter avenue (ground floor); (Block No. 2992, Lot No. 25), Borough of Brooklyn.
- 709-40-A—22-11 to 22-19 41st avenue, northwest corner of 23rd street (Block No. 409, Lot No. 1), Long Island City, Borough of Queens.
- 761-40-A—Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City.
- 770-40—10 Gansevoort street, south side, 149 ft. west of West 4th street (Block No. 627, Lot No. 38), Borough of Manhattan.
- 496-40-A—9 Doyers street, west side, 1,615.75 ft. north of Chatham square (Block No. 162, Lot No. 30), Borough of Manhattan.
- 643-40-A—163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 (1167), Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens.
- 648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.
- 653-40-A—103-17 Metropolitan avenue, north side, 160 ft. west of Roman avenue (Block No. 2050, Lot No. 45), Forest Hills, Borough of Queens.
- 692-40-A—402-404 East 101st street, south side, 50 ft. east of First avenue (Block No. 1694, Lot No. 46), Borough of Manhattan.
- 694-40-A—224 Centre street, 165-171 Grand street, southeast corner, and 154 Baxter street (Block No. 235, Lot No. 13), Borough of Manhattan.
- 771-40-A—117-119 West 39th street, north side, 200 ft. west of Sixth avenue (Block No. 815, Lot No. 20), Borough of Manhattan.
- 778-40-A—233-243 Herkimer street, north side, 305 ft. east of New York avenue (Block No. 1862, Lot No. 14), Borough of Brooklyn.
- 779-40-A—1-4 Chatham square and 2 Mott street, northwest corner (Block No. 162, Lot No. 1), Borough of Manhattan.

CALENDAR

- 596-40-A—988 Second avenue, east side, 40 ft. north of East 52nd street (Block No. 1345, Lot No. 2½), Borough of Manhattan.
- 737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.
- 764-40-A—92-130 Centre street, 48-82 Baxter street, 121-133 White street and 149-165 Leonard street (Block No. 167, Lot Nos. 1 to 51, inclusive), Borough of Manhattan.
- 780-40-A—28-36 Gold street, 91-101 John street and 1-21 Cliff street (Block No. 76, Lot Nos. 10, 11, 19 and 22), Borough of Manhattan.
- 1101-39-A—597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.
- 662-40-A—252 Varet street and 25 Bogart street, southwest corner (Block No. 3118, Lot No. 16), Borough of Brooklyn.
- 696-40-A—441 New Lots avenue, north side, 25 ft. 4½ in. east of Vermont street (Block No. 3842, Lot No. 31), Borough of Brooklyn.
- 697-40-A—445 New Lots avenue, north side, 45 ft. 5¼ in. east of Vermont street (Block No. 3842, Lot No. 30), Borough of Brooklyn.
- 750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.
- 766-40-A—1-17 South 10th street, north side, 90.83 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn.
- 769-40-A—300-304 First street, southwest corner of Fifth avenue (rear building); (Block No. 969, Lot No. 38), Borough of Brooklyn.
- 773-40-A—437-451 66th street, north side, 307 ft. east of Fourth avenue (Block No. 5827, part of Lot No. 37), Borough of Brooklyn.
- 783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.
- 668-40-A—3187 East Tremont avenue, east side, 48.75 ft. north of Waterbury avenue (Block No. 5351, Lot No. 8), Borough of The Bronx.
- 704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.
- 730-40-A-WF—106-15 Northern boulevard, northwest corner of 107th street (Block No. 1701, Lot No. 73), Corona, Borough of Queens.
- 745-40-A—173-02, 173-06 and 173-10 Effington avenue, southeast corner of Fresh Meadow lane (Block No. 5586, Lot No. 1), Flushing, Borough of Queens.
- 746-40-A—172-03, 172-07, 172-11, 172-15 and 172-19 Effington avenue, north side, between Fresh Meadow lane and Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens.
- 747-40-A—173-01, 173-05 and 173-09 Effington avenue, northeast corner of Fresh Meadow lane (Block No. 5585, Lot No. 1), Flushing, Borough of Queens.
- 751-40-A—60-04 to 60-38 Little Neck parkway, southwest corner of 60th avenue (Block No. 8360, Lot Nos. 7-25, inclusive), Bayside, Borough of Queens.
- 753-40-A—58-34 185th street, west side, 280 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.
- 754-40-A—58-41 185th street, east side, 400 ft. south of 58th avenue (Block No. 5689, part of Lot Nos. 1 and 3), Flushing, Borough of Queens.
- 755-40-A—58-46 186th street, west side, 440 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.
- 756-40-A—58-57 186th street, east side, 560 ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens.
- 763-40-A—163-13 to 163-17 Jamaica avenue, north side, 29.89 ft. east of 163rd street (Block No. 9793, Lot No. 11), Jamaica, Borough of Queens.
- 782-40-A—126-02 to 126-08 Northern boulevard, 33-01 126th street, southeast corner, and 126-01 34th avenue (Block No. 1820, Lot No. 1), Flushing, Borough of Queens.
- 786-40-A—72-04, 72-08, 72-12, 72-16, 72-20, 72-24, 72-28 and 72-32 Hollis Court boulevard, southwest corner of Richland avenue (Block No. 7226, part of Lot No. 140), Flushing, Borough of Queens.
- 787-40-A—173-03, 173-07 and 173-11 Fairchild avenue, northwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 1), Flushing, Borough of Queens.
- 788-40-A—173-04, 173-08 and 173-12 Fairchild avenue, southwest corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens.
- 110-40-A—1200 Castleton avenue, south side, 105 ft. west of Roe street (Block No. 211, Lot No. 39), West New Brighton, Borough of Richmond.
- 784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

CALENDAR

785-40-A—46-55 to 46-59 Metropolitan avenue, north side, 522 ft. east of Newtown Creek (Block No. 2611, Lot Nos. 203 and 206), Maspeth, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 85 $\frac{1}{8}$ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

791-40-A—Re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City.

792-40-A—1431 Webster avenue, west side, 347 ft. south of East 171st street (Block No. 2887, Lot No. 88), Borough of The Bronx.

793-40-A—56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan.

Variations of the Labor Law.

83-40-S—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

565-40-S—30-30 Thomson avenue, south side, between 30th place (Manley street) and 31st (Mount) street (Block No. 277, Lot No. 1), Long Island City, Borough of Queens.

713-40-S—500-504 Seventh avenue, 201-219 West 37th street, northwest corner, and 214-226 West 38th street (first floor); (Block No. 787, Lot No. 40), Borough of Manhattan.

762-40-S—204 East 56th street, south side, 90 ft. east of Third avenue (Block No. 1329, Lot No. 44 $\frac{1}{4}$), Borough of Manhattan.

781-40-S—11 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue, and 20 West 43rd street (Block No. 1258, Lot No. 21), Borough of Manhattan.

JULY 19, 1940, 10 A. M.

Rules.

584-39-SR—Proposed Rules for the Testing and Use of Blended Cements.

SEPTEMBER 10, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 10, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

AL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, appli-

cant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lefters avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 24, 1940, 2 P. M.

Appeal from Administrative Decision.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JULY 9, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meeting of the Board held on Tuesday morning, June 11, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 11, 1940, were approved as printed in Bulletin No. 25, Vol. 25.

BUILDING ZONE CASES.

1613-17-BZ.

APPLICANT—William Shary, for Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee).

SUBJECT—Application reopened April 9, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station.

PREMISES AFFECTED—107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 (2049), Lot No. 3), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Shary, Herman Lenitz and William R. Altman.

For Opposition: John Adikes.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., awaiting plan from Park Department.

1530-39-BZ.

APPLICANT—Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Morris Perlstein.

ACTION OF BOARD—Laid over for further consideration by the Board. No date set.

1297-40-BZ.

APPLICANT—Henry Nordheim, for The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Henry B. Albert.

For Opposition: Earl I. Gallant, Joseph Yasgor, J. D. Moore and Anna Vanter.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., on request of applicant.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Nat Krefetz.

For Opposition: Rev. William Stringham, Mary Smith and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., for inspection and report by a committee of the Board and decision without further argument.

407-40-BZ.

APPLICANT—King and Lynch, for The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building.

PREMISES AFFECTED—1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Daniel A. Lynch and Alfred A. Lama.

For Opposition: Noah Feldman, M. L. Kane and George H. Cohen.

ACTION OF BOARD—Laid over to July 16, 1940, at 10 A.M., for further consideration by the Board and awaiting information from the Building and Fire Departments.

1415-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—Southwest corner of West 246th street and Blackstone avenue (Block No. 3418, Lot No. 805), Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

1416-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

1417-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—East side of Independence avenue, 285 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

1418-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—Southeast corner of West 246th street and Independence avenue (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

1419-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated).

PREMISES AFFECTED—West side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 5); (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: T. J. Nevins.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

1420-39-BZ.

APPLICANT—Edward L. Larkin, for Arrowhead Inn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only (new proposal—buildings relocated).

PREMISES AFFECTED—West side of Henry Hudson Parkway West, 568.65 ft. north of West 239th street (Building No. 4); (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: T. J. Nevins.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

385-40-BZ.

APPLICANT—Edward L. Larkin, for Denton Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

MINUTES

PREMISES AFFECTED—3560 Netherland avenue and 566 West 236th street, southeast corner (Block No. 3409-G, Lot No. 492), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

386-40-BZ.

APPLICANT—Edward L. Larkin, for Denton Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—3215 Arlington avenue, west side, 100.28 ft. north of West 232nd street (Block No. 3409, Lot Nos. 62 and 64), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

387-40-BZ.

APPLICANT—Edward L. Larkin, for Riverdale Gardens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—3260 Netherland avenue, east side, 150 ft. south of West 236th street (Block No. 3409-B, Lot No. 148), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

388-40-BZ.

APPLICANT—Edward L. Larkin, for Riverdale Gardens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—3225 Johnson avenue, west side, 214.73 ft. north of West 232nd street (Block No. 3409-B, Lot Nos. 177 and 179), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

389-40-BZ.

APPLICANT—Edward L. Larkin, for Riverdale Gardens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—3259 Johnson avenue, west side, 116.67 ft. south of West 235th street (Block No. 3409-B, Lot Nos. 165 and 166), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

460-40-BZ.

APPLICANT—Seelig and Finkelstein, for Lenox Gardens Building Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—68-12 Yellowstone boulevard, northwest corner of 68th road and west side of Yellowstone boulevard, from 68th road to 68th avenue (Block No. 2137, Lot Nos. 27, 29, 31, 33, 35, 39 and 43), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

466-40-BZ.

APPLICANT—Seelig and Finkelstein, for Franklin Gardens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple

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dwelling having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—118-11 84th avenue, northwest corner of Lefferts boulevard and northeast corner of 84th avenue and 118th street (Block No. 3322, Lot No. 135), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

25-34-BZ.

APPLICANT—Nicholas Drogaris, for Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee).

SUBJECT—Application reopened May 28, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments (extension of the building having been previously granted by the Board).

PREMISES AFFECTED—1188-1196 Ocean parkway and 515-529 Avenue L, northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy, Peter Drogaris, Nicholas Drogaris, Irving Mandel, Pearl Mandel and Alfred Ekelman.

For Opposition: Leon Bloomberg, Irving Sackheim, Fanny J. Baron, Florence Bronwitz, William Obermeyer, Esther L. Samuels Rachel Bigelot, Anthony Gabalis, Herman Bloomberg and Ethel Walsh.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(25-34-BZ)

WHEREAS, this application to permit in a residence use district, under section 7a of the building zone resolution, the extension of a business building, premises 1188-1196 Ocean parkway and 515-529 Avenue L, northwest corner (Block No. 5495, Lot No. 1000), Borough of Brooklyn, was granted by the Board May 15, 1934, on certain conditions; and

WHEREAS, Nicholas Drogaris, for Nicholas Drogaris and Peter Drogaris, owners (Pearlil Restaurant, Incorporated, lessee), requested reopening of the application under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy to a restaurant, sale of liquors and cabaret, on condition that the occupancy be limited to a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments; and

WHEREAS, this application was reopened by vote of the Board May 28, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean parkway, Avenue L and East 5th street are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 2007-40, dated April 30, 1940, reads:

"The present occupancy of these premises, located in a residential use district, was approved by the Board of Standards and Appeals. Any change in that occupancy must be approved by that Board."

and

WHEREAS, the existing building is of Class 3 and Class 4 construction, one story in height, with a frontage of 50 ft. and a depth of 80 ft. 6 in.; it is proposed to convert the occupancy of the existing building (which is occupied as a recreation center for games and for the conduct within the building of a refreshment parlor and luncheonette for the service of light refreshments and for the sale of soda, ice cream, cigars, cigarettes and tobacco) to a restaurant, sale of liquors and cabaret; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis to justify an amendment to the previous resolution to extend the non-conforming uses therein permitted.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

5-40-BZ.

APPLICANT—Jacob Muskin, for Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, Long Island Bus Terminal, Incorporated, and Cora Lay Waldron, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal.

PREMISES AFFECTED—89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Muskin.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

Negative 0

Not Voting: Commissioner Savage 1

THE RESOLUTION—

(5-40-BZ)

WHEREAS, Jacob Muskin, for Abraham D. Van Siclen, Abraham W. Ruskin, Nordlaw Realities, Incorporated, Long Island Bus Terminal, Incorporated, and Cora Lay Waldron, owners, filed January 2, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicle and, also, the maintenance and extension of a bus terminal, premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick boulevard, Jamaica ave

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nue and 90th avenue are in business use districts; 165th street and 89th avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 6, 1939, and as amended March 19, 1940, reads:

"1. The parking of more than 5 motor vehicles within a business district is contrary to Article 2, sect. 4 of the zone law.

2. Proposed extension of bus terminal is contrary to decision of Board of Standards and Appeals as stated in Vol. 23, Bulletin No. 6, under 106-37-BZ.

3. Obtain approval of Board of Estimate and various other departments as per resolution of Board of Estimate under Cal. No. 15, passed Feb. 1, 1940."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 376 ft. 6 in. on 165th street, 376 ft. 6 in. on Merrick boulevard and a depth of 217 ft.; the south portion of the plot (having a frontage of 326 ft. 6 in. on Merrick boulevard and 326 ft. 6 in. on 165th street) is occupied by several buildings and as a bus terminal, as shown on plans filed; the north part of the plot (having a frontage of 50 ft. on Merrick boulevard and 50 ft. on 165th street) was considered under Cal. No. 106-37-BZ, and the Board granted a variation permitting the use of this portion of the plot; the term of this permit expired February 1, 1940; it is proposed to continue the use of the south portion of the plot as now developed, to erect upon the north portion of the plot a new bus passenger platform, and to use the remainder of the north portion of the plot for egress and ingress of buses; and

WHEREAS, the Department of Housing and Buildings has issued a certificate of occupancy, No. Q 12531, in conjunction with Permits Nos. 1653-36, 1703-36 and 2852-36, for the structures and uses on the adjoining premises; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision j, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7j thereof, so as to permit the premises, namely Lot No. 83, in Block No. 9795, to be occupied as a bus station in connection with the existing bus station (termed a bus terminal on certificate of occupancy) on the adjoining lots to the south, Lot Nos. 85, 89 and 94, *on condition* that this lot shall not be used other than in conjunction with such lots and for the use as is herein permitted; that this plot shall be cement paved; that there shall be erected on the northerly lot line continuously from 165th street to Merrick boulevard a masonry wall not less than 7 ft. in height, except that such wall may be ramped down to a height of not less than 5 ft. for a distance of 7 ft. from each street building line; that no structures shall be erected on this lot other than the wall herein required, except that a metal canopy structure as proposed as shown on plans filed herewith may be constructed for the protection of passengers; that the existing curb cuts may be continued if in accordance with legally issued permits and shall not be increased; that all permits required shall be obtained and all work involved completed within six (6) months from the date of this resolution.

227-40-BZ.

APPLICANT—Warden H. Fenton, Director of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of

three (3) buildings to be used as hog pens; buildings to be used in connection with a correctional institution.

PREMISES AFFECTED—South side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

APPEARANCES—

For Applicant: B. W. Guenther.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(227-40-BZ)

WHEREAS, Warden H. Fenton, Director of Architecture, Department of Public Works, City of New York, owner, filed March 1, 1940, an application under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of three (3) buildings to be used as hog pens in connection with a correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Riker's Island is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 29, dated February 1, 1940, reads:

"1. Erection of Piggery Building in a residence district is contrary to Section 3 of Building zone resolution.

This is in connection with the above mentioned N.B. 29/40."

and

WHEREAS, the premises consist of an island in the East River owned and occupied in part by the City of New York as a correctional institution; it is proposed to erect upon the south portion of the island three (3) one-story, non-fireproof structures, 224 ft. by 58 ft. in area, to be used as a piggery in conjunction with a penal institution; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, *on condition* that in all other respects all laws, rules and regulations shall be complied with; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

228-40-BZ.

APPLICANT—Warden H. Fenton, Director of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a barracks buildings in connection with a correctional institution.

PREMISES AFFECTED—North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

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APPEARANCES—

For Applicant: B. W. Guenther.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(228-40-BZ)

WHEREAS, Warden H. Fenton, Director of Architecture, for Department of Public Works, City of New York, owner, filed March 1, 1940, an application under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a barracks used in connection with a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Riker's Island is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 28, dated February 1, 1940, reads:

"1. Erection of Barracks Building in a residence district is contrary to Section 3 of the Building Zone Resolution.

This is in connection with the above mentioned N.B. 28/40."

and

WHEREAS, the premises consist of an island in the East River owned and operated in part by the City of New York as a correctional institution; it is proposed to erect upon the northwesterly portion of the island a fireproof structure, two stories in height, and 339 ft. by 40 ft. 6 in. in area, to be occupied as a building in connection with a penal institution; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, on condition that in all other respects all laws, rules and regulations shall be complied with; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

229-40-BZ.

APPLICANT—Warden H. Fenton, Director of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a slaughter house in connection with the hog house, an accessory to the correctional institution.

PREMISES AFFECTED—South side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx.

APPEARANCES—

For Applicant: B. W. Guenther.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(229-40-BZ)

WHEREAS, Warden H. Fenton, Director of Architecture, Department of Public Works, City of New York, owner, filed March 1, 1940, an application under sections 7a and 21 of the Building zone resolution, to permit in a residence use district the erection and maintenance of a slaughter house in connection with the hog house, an accessory to the correctional institution; premises south side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), East River, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Riker's Island is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 30-1940, dated February 1, 1940, reads:

"1. Erection of a slaughter house building in a residence district is contrary to Section 3 of Building Zone Resolution.

This is in connection with the above mentioned N.B. 30/40."

and

WHEREAS, the premises consist of an island in the East River owned and operated in part by the City of New York as a correctional institution; it is proposed to erect upon the south portion of the island a one and one-half story, non-fireproof structure, 67 ft. 6 in. by approximately 35 ft. in area, to be used as a slaughter house in connection with the hog house, an accessory use to the correctional institution; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, on condition that in all other respects all laws, rules and regulations shall be complied with; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

379-40-BZ.

APPLICANT—A. Robert Chananie, for Frieda Messinger, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: A. Robert Chananie and David Messinger.

For Opposition: Rev. J. W. Leininger, George J. Gross, George V. Coe, Jr., Lillian Williams, Catherine Rusek, Joseph Iaricci and Ernest C. Lang.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

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Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
THE RESOLUTION—

(379-40-BZ)

WHEREAS, A. Robert Chananie, for Frieda Messinger, owner, filed April 12, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 58-20 Broadway, southwest corner of 59th street (Block No. 1197, Lot No. 49), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 9, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and 58th street are in business use districts; 59th street is in a residence and business use district; 57th street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 9824-1939, dated March 15, 1940, reads:

"The erection of a gasoline service station, auto laundry and lubritorium within a business district is contrary to Article 2, Section 4 of the Building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 29.7 ft. on 59th street, 101.6 ft. on Broadway and a distance of 100 ft. along the south lot line; it is proposed to erect upon the plot a one-story structure, 45.5 ft. by 26 ft. in area, to be used as an office, lubritorium and auto laundry, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, at the hearing the applicant requested permission to amend his application so as to include section 7f of the building zone resolution, as amended June 27, 1940; and

WHEREAS, the Board is familiar with the general area, having made many inspections in the vicinity in connection with other applications before the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, for the use of the plot for the erection and maintenance of a gasoline service station.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application No. 9824-1939, be and it hereby is *affirmed* and that the application be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEAL FROM ADMINISTRATIVE DECISION.

670-40-A.

APPLICANT—Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Morris Perlstein.

ACTION OF BOARD—Laid over for further consideration by the Board. No date set.

Adjourned, 3:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JULY 9, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

BUILDING ZONE CASES.

39-34-BZ.

APPLICANT—Dale Carnegie, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Bryce Rea.

ACTION OF BOARD—Application reopened and set for hearing October 1, 1940, at 2 P.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

527-37-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in The City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(527-37-BZ)

WHEREAS, this application to permit in a business use district, under section 7h of the building zone resolution, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan, was granted by the Board July 19, 1938, on certain conditions; and

WHEREAS, the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 19, 1938, as amended October 10, 1939, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"*granted* under section 7, subdivision h, for a term of two (2) years from the date of this *amended resolution*."

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742-38-BZ.

APPLICANT—George Goodstein, for Leon W. McKeon, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence use district the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage.

PREMISES AFFECTED—3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.

APPEARANCES—

For Applicant: George Goodstein and Milton A. Seymour.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(742-38-BZ)

WHEREAS, George Goodstein, for Leon W. McKeon, owner, filed August 25, 1938, an application under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx; and

WHEREAS, this application was granted by the Board November 28, 1939, on certain conditions; and

WHEREAS, the owner requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 28, 1939, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within six (6) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

42-40-A.

APPLICANT—Everlasting Bed Company, Incorporated (lessee), for Julius Altschul, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 16, 1940, at 2 P.M., on written request of applicant.

1375-39-A.

APPLICANT—Austin W. Magee, for Anna Lieb, owner (Orlando Shoe Repair, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-06 to 40-10 104th street, northwest corner (Block No. 1975, Lot No. 18), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn; applicant to file building zone application.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

558-40-A-WF.

APPLICANT—Austin W. Magee, for Bernard Blumenthal, owner (Berlin Brothers, Incorporated, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-14 Roosevelt avenue, south side, 70 ft. east of Prince street (Block No. 5036, Lot No. 20), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(558-40-A-WF)

WHEREAS, Austin W. Magee, for Bernard Blumenthal, owner, filed May 23, 1940, an appeal from a decision of the borough superintendent of buildings for permission to erect a sign exceeding 30 sq. ft. in area within the World's Fair district; premises 135-14 Roosevelt avenue, south side, 70 ft. east of Prince street (Block No. 5036, Lot No. 20), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Misc. Application No. 2042-40, dated May 6, 1940, reads:

"The erection of a sign exceeding 30 sq. ft. in area, within the World's Fair area is contrary to Section 4 of the World's Fair Resolution."

and

WHEREAS, the building is two stories (25 ft.) in height, 25 ft. by 83 ft. in area; of Class 3 and Class 4 construction; located in an unrestricted use C area district; erected in 1928, and occupied: cellar, ice machine; first story, store and cooler, 10 persons; second story, dwelling, one family; and

WHEREAS, the applicant contends that the proposed sign will be 4 ft. high by 24 ft. long, parallel to the wall of the building, and fastened thereto as shown on diagram filed with this appeal; that there is an existing 6 ft. by 8 ft. electric sign erected at right angles to the building as shown on plan filed with this appeal; that the proposed sign will advertise the business conducted on the premises, and since it will face north and cannot be seen from the World's Fair site, the applicant requests that a variation from the World's Fair Resolution be made.

Resolved, that the decision of the borough superintendent of buildings, acting on Miscellaneous Application No. 2042-40, be and it hereby is modified and the appeal be and it hereby is granted on condition that the proposed sign shall not exceed the dimensions as proposed and as shown on plans filed with this appeal, marked "Received June 27, 1940"; that no other signs shall be constructed than those now existing and any signs not exceeding 30 sq. ft. in area.

594-40-A.

APPLICANT—J. Jack Brown, for Antonio Castellano, owner.

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SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—77 Elizabeth street, west side, 79 ft. 10 in. north of Hester street (Block No. 238, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jack Brown.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(594-40-A)

WHEREAS, J. Jack Brown, for Antonio Castellano, owner, filed June 3, 1940, an appeal from an order and decisions of the fire commissioner; premises 77 Elizabeth street, west side, 79 ft. 10 in. north of Hester street (Block No. 238, Lot No. 31), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 21553-LC, dated April 1, 1940, reads:

“With reference to your application dated March 16, 1940, for a permit to maintain the storage of rags at above location, I regret to inform you that this department is without power to grant such a permit, for the reason:

That:

B. Premises not protected by an approved fire extinguishing system, for instance, an automatic sprinkler system. Sec. C-19-149-0-C-4, Art. 26, Administrative Code.

YOU ARE, THEREFORE, HEREBY ADVISED TO:

1. Discontinue the storage of more than one ton of combustible fibre on these premises. Sec. C19-149.0.B., Art. 26, Administrative Code.”

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated May 8, 1940, and repeated in a decision of the fire commissioner, dated May 31, 1940; and

WHEREAS, the building is three stories (35 ft.) in height, 35 ft. by 20 ft. in area; of Class 3 construction; located in an unrestricted use B area district; erected prior to 1892, and occupied: cellar, vacant; first story, storage of rags and metals, 1 person; second story, dwelling one family; third story, dwelling, one family; and

WHEREAS, the applicant contends that the exits consist of a stairway leading from street to the third story, enclosed in lath and plaster partitions, extended to the roof by ladder, and a fire escape at the rear; that there are never more than three tons of rags in the premises; that the rags are stacked no higher than 7 ft. from the metal ceiling; that permits have been previously issued for the storage of more than one ton of combustibles on the premises; that the building is unheated; that the business has been conducted on these premises for twenty-eight years; that the installation of an automatic sprinkler system would require an expenditure out of proportion to the value of the building and cause severe hardship to the owner; that it is proposed to seal up the doorway between the store and stair vestibule, to fire-retard the first story ceiling and store side of stair-hall partition and soffit of stairs; that it is also proposed to fire-retard the stairway enclosure in the cellar; that the cellar ceiling is covered with metal over plaster boards and will be repaired where necessary, or in lieu of such fire-retarding of the first story ceiling, stair-hall partition and soffit of stairs, the applicant is willing to install a non-automatic sprinkler system in the portion of the building used for the storage of rags and metals.

Resolved, that the order of the fire commissioner, Order

No. 21553-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the fire-retarding protection proposed by the applicant shall be carried out; that the amount of loose material shall at no time exceed the amount stated in his application; that a space of at least 7 ft. shall at all times exist between such material and the ceiling; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct, and *granted* only so long as the building is occupied as proposed, not increased in height or area, and in all other respects meets the requirements of all laws, rules and regulations applicable thereto.

651-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-54 and 58-58 187th street, southwest corner of 58th avenue and west side of 187th street, 50 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(651-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed June 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-54 and 58-58 187th street, southwest corner of 58th avenue and west side of 187th street, 50 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3521 and 3522-40, dated June 7, 1940, reads:

“1. The erection of a frame building within fire limits is contrary to Art. 5, Sec. 4.1.2 N.Y. Building Code.”

and

WHEREAS, the premises consist of a plot fronting 90 ft. on 187th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one-family frame dwelling not to exceed one and one-half stories (approximately 18 ft.) in height, 25 ft. by 38 ft. in area, and a one-car private garage, 12 ft. by 20 ft. in area; the dwellings will be set back from 187th street for a distance of 20 ft., into which setback front entrance steps will project a distance of 5 ft.; the corner dwelling will be set back from the 58th avenue building line 15 ft. and will have a 10 ft. side yard on the south, into which side yard an entrance approximately 3 ft. wide will project; the dwelling to be erected 50 ft. south of 58th avenue will have a 10 ft. side yard on the south lot line, into which yard side entrance steps will project 3 ft., and, also, a 5 ft. side yard on the north lot line; garages will be located 1 ft. from side and rear lot lines; the buildings will be surfaced on the exterior with masonry veneer up to the plate line and the roofs will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that it owns all of the lots on both sides of 187th street from World's Fair boulevard to 58th avenue, part of a tract approximately twenty-five acres, purchased by the same owners for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which dwellings

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are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 3521 and 3522-1940, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the frame dwellings and garages shall be substantially as proposed on said applications; that the use of the dwellings shall be limited to the residence occupancy of one family each; that the garage to be erected on each lot shall be used only as accessory to the one-family dwelling; that the rear frame gables of each garage shall be surfaced on the exterior with incombustible material or shall be brick-filled; that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

652-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-53 and 58-57 187th street, southeast corner of 58th avenue and east side of 187th street, 50 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(652-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed June 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-53 and 58-57 187th street, southeast corner of 58th avenue and east side of 187th street, 50 ft. south of 58th avenue (Block No. 5691, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 3523 and 3524-40, dated June 7, 1940, reads:

"1. The erection of frame buildings within fire limits is contrary to Art. 5, Sec. 4.1.2 N.Y. Building Code."

and

WHEREAS, the premises consist of a plot fronting 90 ft. on 187th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one-family frame dwelling, 25 ft. by 38 ft. in area, not to exceed one and one-half stories in height, and a one-car private garage, 12 ft. by 20 ft. in area; the dwellings will be set back from 187th street for a distance of 20 ft., into which setback front entrances will project for a distance of 5 ft.; the corner building will be set back from 58th avenue for a distance of 15 ft. and will have a 10 ft. wide side yard on the south, into which side yard an entrance will project for a distance of 3 ft.; the building located 50 ft. north of the corner of 58th avenue will have a 5 ft. wide side yard on the north and a 10 ft. wide side yard on the south, into which latter yard side entrance will project for a distance of 3 ft.; garages will be located 1 ft. from side and rear lot lines; the buildings will be surfaced on the exterior with masonry veneer up to the plate line and the roofs will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that it owns all of the lots on both sides of 187th street from World's Fair boulevard to 58th avenue, part of a tract approximately twenty-five acres, purchased by the same owners for development of similar houses; that a declaration of restriction has been filed restricting all of the property upon which dwellings are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 3523 and 3524-1940, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the frame dwellings and garages shall be substantially as proposed on said applications; that the use of the dwellings shall be limited to the residence occupancy of one family each; that the garage to be erected on each lot shall be used only as accessory to the one-family dwelling; that the rear frame gables of each garage shall be surfaced on the exterior with incombustible material or shall be brick-filled; that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

658-40-A.

APPLICANT—Auswin Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Arthur H. Priest and Edward P. Kenney.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(658-40-A)

WHEREAS, Auswin Realty Corporation, owner, filed June 18, 1940, an appeal from a decision of the borough superintendent of buildings for permission to maintain the existing building in the bed of a mapped street (Roman avenue); premises 71-58 Austin street, south side, 530.05 ft. east of 71st avenue (Continental avenue); (Block No. 3255, Lot No. 33), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application 2336-37, dated June 17, 1940, reads:

"Referring to your application for a Certificate of Occupancy for premises known as 71-58 Austin Street, Forest Hills, Borough of Queens, please be advised that your application is hereby DENIED because the building in question is in the bed of a mapped street.

This refers to building more particularly described as being situated on the SOUTH SIDE OF AUSTIN STREET, 530' 5" EAST OF 71ST AVENUE, FOREST HILLS, BOROUGH OF QUEENS."

and

WHEREAS, the building is four stories (44 ft.) in height, 100 ft. by 87 ft. in area; of Class 3 construction; located in a business use D area district; erected in 1928 and altered in 1937; occupied as a Class A multiple dwelling; it is proposed to occupy the building: first story, apartments, stores

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and offices; second, third and fourth stories, Class A multiple dwellings; and

WHEREAS, the applicant contends that the building was erected twelve years ago and Certificate of Occupancy No. 39240 was issued December 14, 1928, upon completion in accordance with the New Building Application 7751-27; that the alteration which has just been completed applies to stores on the ground floor, and certificate of occupancy has been denied by the borough superintendent of buildings, which is the subject of this appeal; that it is necessary that a new certificate of occupancy be obtained as the owner is re-financing the property; that it is impossible to get the store title as conditions now exist; that there is an existing one-story building adjoining this property which occupies over one-half of the bed of the mapped street in question; and

WHEREAS, a communication dated June 3, 1940, addressed to the applicant by the engineer-in-charge of the topographical bureau has been filed with this application and reads as follows:

"In reply to your verbal communication of even date concerning the portion of 72nd (Roman) Avenue extending southerly from Austin Street about 100 feet, please be advised that this street is shown as a proposed highway, sixty feet wide, and coming to a dead-end about 100 feet south of Austin Street, upon the adopted Final Map of the City of New York.

At the present time, it is encumbered by two large apartment houses and it appears that there will never be any necessity for acquiring title to the property for street purposes because of the fact that the Final Map does not show it crossing the railroad, and the further fact that its acquisition for street purposes under present conditions would be prohibitive.

It is our intention to prepare an alteration map eliminating this street from the highway system of the borough of Queens, and it is expected that this map will be forwarded to the City Planning Commission for approval at an early date."

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 2336-37, be and it hereby is *modified* and the appeal be and it hereby is *granted*, under section 35 of the General City Law, so as to permit a continuance of the building already erected, which it is proposed to alter, same being located in the bed of Roman avenue, as shown on plans filed with this appeal marked June 18, 1940, on condition that in all other respects all laws, rules and regulations applicable to the building and occupancy shall be complied with.

733-40-A.

APPLICANT—George Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-02 192nd street, southwest corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo E. Beers.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(733-40-A)

WHEREAS, Gross-Morton Park Corporation, owner, filed July 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-02 192nd street, south-

west corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 3863-40, dated June 25, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 46.03 ft. by 100.18 ft. in area; located in a business use D area district; it is proposed to erect a two-story, frame, one-family dwelling, 25 ft. in height, 28 ft. 4 in. by 33 ft. in area, and a private garage; and

WHEREAS, the proposed building has a setback from 192nd street of 24 ft., will have a 5 ft. side yard on the south lot line, and will be set back from 73rd avenue for a distance 9 ft. 2 in., into which setback the chimney breast will project for a distance of 2 ft.; and

WHEREAS, the applicant contends that the area in which the buildings are to be located is rural in character, and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come as the plot may never have any commercial value.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application No. 3863-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the proposed building shall be surfaced on the exterior with masonry veneer at least for the first story; that the roof shall be surfaced with natural slate; that the use of the garage shall be limited to use as accessory to the dwelling, and that the building shall comply in all respects with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

734-40-A.

APPLICANT—George Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-06 and 73-10 192nd street, west side, 570 ft. and 610 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo E. Beers.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(734-40-A)

WHEREAS, Gross-Morton Park Corporation, owner, filed July 3, 1940, an appeal from decisions of the borough superintendent of buildings: premises 73-06 and 73-10 192nd street, west side, 570 ft. and 610 ft. north of 75th avenue (Block No. 7138, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Application Nos. 3862 and 3855-1940, dated June 25, 1940, read:

"1. The erection of a frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 80 ft. by 100 ft.

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in area; located in a business and residence use D area district; it is proposed to subdivide the plot into two separate lots and to erect on the northerly lot a two-story, frame, one-family dwelling and garage, 28 ft. 4 in. by 33 ft. in area, set back from 192nd street for a distance of 24 ft., and provided with a 6 ft. 8 in. side yard on the north lot line, and a 5 ft. side yard on the south lot line, into which latter yard the chimney breast will project for a distance of 2 ft.; to erect on the south portion of the plot a two-story, frame, one-family dwelling, 25 ft. in height and 28 ft. 4 in. by 25 ft. in area, and a one-story private garage; the dwelling will be set back from 192nd street for a distance of 27 ft., into which setback a bay window and front entrance steps will project 5 ft. 8 in.; a 7 ft. side yard on the north lot line and a 5 ft. side yard on the south lot line will be provided; the garages will be located 1 ft. from side and rear lot lines; and

WHEREAS, the applicant contends that the area in which the buildings are to be located is rural in character, and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come as the plot may never have any commercial value.

Resolved, that the decisions of the borough superintendent of buildings, acting on N.B. Application Nos. 3862 and 3855-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the dwellings shall be surfaced on the exterior with masonry veneer for at least the first story and the garages surfaced on the exterior with masonry veneer except for frame gables; that the rear frame gables of garage shall be surfaced on the exterior with incombustible material or shall be brick-filled; that the roofs of dwellings and garages shall be surfaced with natural slate; that the use of the garages shall be limited to use as accessory to the dwellings, and that the dwellings shall comply in all respects with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

735-40-A.

APPLICANT—George Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-03 192nd street, southeast east corner of 73rd avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo E. Beers.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(735-40-A)

WHEREAS, Gross-Morton Park Corporation, owner, filed July 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-03 192nd street, southeast corner of 73rd avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 3630-40, dated June 25, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 40.63 ft. by 100.18 ft. in area; located in a business use D area district; it is proposed to erect upon the plot a two-story, frame, one-family dwelling and garage; the dwelling will be 25 ft. in height and 28 ft. 4 in. by 33 ft. in area, and be set back for a distance of 24 ft. from 192nd street and approximately 8 ft. from 73rd avenue, into which latter setback a chimney breast will project for 2 ft.; a 5 ft. side yard will be provided on the south lot line; and

WHEREAS, the applicant contends that the area in which the buildings are to be located is rural in character, and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come as the plot may never have any commercial value.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application No. 3630-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the proposed building shall be surfaced on the exterior with masonry veneer at least for the first story; that the roof shall be surfaced with natural slate; that the use of the garage shall be limited to use as accessory to the dwelling, and that the dwelling shall comply in all respects with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

736-40-A.

APPLICANT—George Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-07 and 73-11 192nd street, east side, 577 ft. and 619 ft. north of 75th avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo E. Beers.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(736-40-A)

WHEREAS, Gross-Morton Park Corporation, owner, filed July 3, 1940, an appeal from decisions of the borough superintendent of buildings; premises 73-07 and 73-11 192nd street, east side, 577 ft. and 619 ft. north of 75th avenue (Block No. 7179, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Application Nos. 3864-40 and 3865-40, dated June 25, 1940, and June 28, 1940, respectively, read:

"1. The erection of a frame dwelling within the fire limits is contrary to Sect. 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot 82 ft. by 100 ft. in area; located in a residence and business use D area district; it is proposed to subdivide the plot into two separate lots and erect on each lot a two-story, one-family frame dwelling and garage; the dwellings will be 25 ft. in height, 28 ft. 4 in. by 33 ft. in area, and will be set back from 192nd street for a distance of 24 ft.; the northerly dwelling will have a 6 ft. 8 in. side yard on the north and a 5 ft. side yard on the south, into which latter yard a chimney breast will project for a distance of 2 ft.; the southerly dwelling will have an 8 ft. 8 in. side yard on the north and a 4 ft. side

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yard on the south, into which latter yard a chimney breast will project for a distance of 2 ft.; and

WHEREAS, the applicant contends that the area in which the buildings are to be located is rural in character, and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come as the plot may never have any commercial value.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 3864 and 3865-1940, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the proposed buildings shall be surfaced on the exterior with masonry veneer at least for the first story; that the roofs shall be surfaced with natural slate; that the use of the garage shall be limited to use as accessory to the dwelling, and that the dwellings shall comply in all respects with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

738-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—56-49 and 56-53 187th street, northeast corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(738-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed July 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 56-49 and 56-53 187th street, northeast corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. Nos. 4523 and 4524-40, dated June 28, 1940, reads:

"1. The erection of a frame bldg. within the fire limits is contrary to Section 4.1.2 of the Bldg. Code."

and

WHEREAS, the premises consist of a plot fronting 80 ft. on 187th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one-family frame dwelling, 25 ft. by 38 ft. 6 in. in area, and a one-car private garage, 19 ft. by 11 ft. in area; the dwellings will be set back 20 ft. from 187th street, into which setback front entrance steps will project for a distance of 5 ft. and bay windows a distance of 2 ft.; the corner dwelling will be set back from 58th avenue for a distance of 7 ft. and will have an 8 ft. side yard on the north lot line, into which yard side entrance steps will project for approximately 3 ft.; the other dwelling to be erected will have a 10 ft. side yard on the south lot line, into which yard side entrance steps will project for approximately 3 ft. and will also have a 5 ft. side yard on the north lot line; the garages will be located 1 ft. from side and rear lot lines, and the buildings will be surfaced on the exterior with

masonry veneer to the plate line, with roofs to be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that it owns a tract of approximately twenty-five acres purchased by the same owners for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which dwellings are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 4523 and 4524-1940, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the frame dwellings and garages shall be substantially as proposed on said applications; that the use of the dwellings shall be limited to the residence occupancy of one family each; that the garages to be erected on each lot shall be used only as accessory to the one-family dwelling; that the rear frame gables of garages shall be surfaced on the exterior with incombustible material or shall be brick-filled; that the corner dwelling shall be set back from 58th avenue a distance of 10 ft. and shall have a side yard on the north lot line of 5 ft., into which side entrance steps may project for approximately 3 ft., and that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

739-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—56-52 188th street, northwest corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(739-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed July 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 56-52 188th street, northwest corner of 58th avenue (Block No. 5673, Lot No. 32), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 4525-40, dated June 28, 1940, reads:

"1. The erection of a frame bldg. within the fire limits is contrary to Section 4.1.2 of the Bldg. Code."

and

WHEREAS, the premises consist of a plot fronting 40 ft. on 188th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to erect upon the plot a one and one-half story, one-family frame dwelling, 18 ft. in height, 25 ft. by 38 ft. 6 in. in area, and a one-car private garage, 11 ft. by 19 ft. in area; and

WHEREAS, the dwelling will be set back from 188th street for a distance of 20 ft., into which setback front entrance steps will project for a distance of 5 ft. and a bay window for 2 ft.; the dwelling will also be set back 7 ft. from the 58th avenue building line and will have an 8 ft. side yard on the north lot line, into which yard side entrance steps will project for approximately 3 ft.; the building will be surfaced on the exterior with masonry veneer up to the plate

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line, and the roof will be surfaced with approved asphalt shingles; the garage will be located 1 ft. from the rear and side lot lines; and

WHEREAS, the applicant contends that it owns a tract of approximately twenty-five acres purchased for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which dwellings are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application No. 4525-40, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the frame dwelling and garage shall be substantially as proposed on said application; that the use of the dwelling shall be limited to the residence occupancy of one family; that the garage to be erected shall be used only as accessory to the one-family dwelling; that the rear frame gables of the garage shall be surfaced on the exterior with incombustible material or shall be brick-filled; that the corner building shall be set back from 58th avenue for a distance of 7 ft. and shall have a side yard on the north lot line of 8 ft., into which yard side entrance steps may project for approximately 3 ft., and that in all other respects the dwelling shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

740-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—56-42, 56-44, 56-48 and 56-52 187th street, northwest corner of 58th avenue (Block No. 5672, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(740-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed July 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 56-42, 56-44, 56-48 and 56-52 187th street, northwest corner of 58th avenue (Block No. 5672, Lot No. 26), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application Nos. 4526 to 4529-40, inclusive, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 163 ft. on 187th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into four separate lots and to erect on each lot a one-family frame dwelling not to exceed one and one-half stories in height and 25 ft. by 38 ft. 6 in. in area, and a one-car private garage, 11 ft. by 19 ft. in area; all buildings will be surfaced on the exterior with masonry veneer to the plate line and the roofs will be surfaced with approved asphalt shingles; the dwellings will be set back 20 ft. from 187th street, into which setback front entrance steps and bay windows will project approximately 5 ft.; the corner dwelling

will be set back 7 ft. from 58th avenue, into which setback a chimney breast will project for a distance of 2 ft. and will also have an 11 ft. side yard on the north lot line, into which yard side entrance steps will project 3 ft.; the three dwellings to be erected 43 ft. north of 58th avenue will have 10 ft. side yards on the south lot line, into which yards side entrance steps will project 3 ft. and also will have 5 ft. side yards on the north lot line; the garages will be located within 1 ft. of rear and side lot lines; and

WHEREAS, the applicant contends that it owns a tract of approximately twenty-five acres purchased by the same owners for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which dwellings are to be built to one-family occupancy; that it is requested that permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 4526 to 4529-1940, inclusive, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the dwellings shall be constructed substantially as indicated on said applications; that the occupancy of the dwellings shall be limited to one family each and the use of the garages to be erected on each lot shall be solely as accessory to the one-family dwellings; that the rear frame gables of garages shall be surfaced on the exterior with incombustible material or shall be brick-filled; that the dwelling erected on the corner lot shall be set back from 58th avenue for a distance of not less than 10 ft., except for a chimney breast that may project for a distance of 2 ft.; that there shall be a side yard on the north lot line not less than 8 ft. in width, except that side entrance steps may project into such yard for a distance not over 3 ft., and that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

741-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-04, 58-08, 58-12, 58-16, 58-20, 58-24, 58-28, 58-32, 58-36, 58-40, 58-44 and 58-48 188th street, southwest corner of 58th avenue and west side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5691, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager and Sam Reizen.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(741-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed July 3, 1940, an appeal from decisions of the borough superintendent of buildings; premises 58-04, 58-08, 58-12, 58-16, 58-20, 58-24, 58-28, 58-32, 58-36, 58-40, 58-44 and 58-48 188th street, southwest corner of 58th avenue and west side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5691, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Application Nos. 4530 to 4541-40, inclusive, dated June 28, 1940, read:

"1. The erection of a frame bldg. within the fire limits is contrary to Section 4.1.2 of the Bldg. Code."

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and

WHEREAS, the premises consist of a plot fronting 500 ft. on the west side of 188th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into twelve separate lots and to erect upon each lot a one-family dwelling not to exceed one and one-half stories in height and 25 ft. by 38 ft. in area and also a one-car private garage 11 ft. by 19 ft.; the buildings will be surfaced on the exterior with masonry veneer up to the plate line and the roofs will be surfaced with approved asphalt shingles; the dwellings will be set back 18 ft. from 188th street, into which setback front entrance steps will project for approximately 5 ft.; garages will be located 1 ft. from rear and side lot lines, except for the garage to be located on the lot 100 ft. north of World's Fair boulevard, which lot will be located 1 ft. from the rear lot line and 10 ft. from the side lot line; the dwelling to be located on the lot 100 ft. north of World's Fair boulevard will be provided with a 20 ft. side yard on the south lot line, into which yard side entrance steps will project for 3 ft. and also will have a 5 ft. side yard on the north lot line; the dwelling to be located on the lot at the southwest corner of 58th avenue and 188th street will be set back 58 ft. from 58th avenue and will have a 10 ft. side yard on the south lot line, into which yard side entrance steps will project for a distance of 3 ft.; the ten other dwellings will be provided with 10 ft. side yards on the south lot line, into which yards side entrance steps will project 3 ft. and also have 5 ft. side yards on the north lot line; and

WHEREAS, the applicant contends that it owns a tract approximately twenty-five acres purchased by the same owners for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which the dwellings are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by possible sales in this area.

Resolved, that the decisions of the borough superintendent of buildings, acting on N.B. Application Nos. 4530 to 4541-1940, inclusive, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the dwellings and garages shall be constructed substantially as indicated on said applications; that the dwellings shall be limited to occupancy by one family each; that the garages shall be used solely as accessory to the dwelling on each plot; that the rear frame gables of garages shall be surfaced on the exterior with incombustible material or shall be brick-filled; that the corner lot dwelling be located 100 ft. north of World's Fair boulevard; that there shall be constructed on the south lot line a woven-wire fence with steel posts not less than 3 ft. 6 in., and on the west lot line said fence shall return not less than 10 ft., and that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for dwellings erected outside the fire limits.

742-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-03, 58-07, 58-11, 58-15, 58-19, 58-23, 58-27, 58-31, 58-35, 58-39, 58-43 and 58-47 188th street, southeast corner of 58th avenue and east side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager and Sam Reizen.

For Administration: Michael O'Donohoe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(742-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed July 3, 1940, an appeal from decisions of the borough superintendent of buildings; premises 58-03, 58-07, 58-11, 58-15, 58-19, 58-23, 58-27, 58-31, 58-35, 58-39, 58-43 and 58-47 188th street, southeast corner of 58th avenue and east side of 188th street, 100 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on N.B. Application Nos. 4542 to 4533-40, inclusive, dated June 28, 1940, read:

"1. The erection of a frame bldg. within the fire limits is contrary to Section 4.1.2 of the Bldg. Code."

and

WHEREAS, the premises consist of a plot fronting 500 ft. on the east side of 188th street and 100 ft. on 58th avenue; located in an unrestricted use D area district; it is proposed to subdivide the plot into twelve separate lots and to erect on each lot a one-family frame dwelling one and one-half stories in height and 25 ft. by 38 ft. in area and also a one-car private garage 11 ft. by 19 ft. in area; the buildings will be surfaced on the exterior with masonry veneer up to the plate line and roofs will be surfaced with approved asphalt shingles; the dwellings will be set back 18 ft. from 188th street, into which setback front entrance steps will project for approximately 5 ft.; garages will be located within 1 ft. of rear and side lot lines; the dwelling to be located on the southeast corner of 58th avenue and 188th street will be set back 15 ft. from 58th avenue and will have a 10 ft. side yard on the south lot line, into which yard side entrance steps will project for approximately 3 ft.; the dwelling to be located 100 ft. north of World's Fair boulevard will have a 10 ft. side yard on the north lot line and one of 15 ft. on the south lot line, into which latter yard side entrance steps will project for approximately 3 ft.; the ten other dwellings will be provided with 5 ft. side yards on the north lot line and 10 ft. side yards on the south lot line, into which latter yards side entrance steps will project for approximately 3 ft.; and

WHEREAS, the applicant contends that it owns a tract of approximately twenty-five acres purchased by the same owners for development by similar houses; that a declaration of restriction has been filed restricting all of the property upon which the dwellings are to be built for one-family occupancy; that it is requested permission be granted to erect the frame dwellings as proposed in view of the fact that solid brick dwellings would be too expensive and not justified by possible sales in this area.

Resolved, that the decisions of the borough superintendent of buildings, acting on N.B. Application Nos. 4542 to 4553-1940, inclusive, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the buildings shall be constructed substantially as indicated on said applications; that the dwellings shall be limited to occupancy by one family each; that the garages shall be used solely as accessory to dwelling on each plot; that the rear frame gables of garages shall be surfaced on the exterior with incombustible material or shall be brick-filled; that prior to issuance of certificate of occupancy on the dwelling and garage to be located on the lot 100 ft. north of World's Fair boulevard, as covered by N.B. Application No. 4542-40, evidence satisfactory to the borough superintendent of buildings shall be filed to the effect that a restrictive covenant is in force affecting the adjoining corner lot, located on the northeast corner of World's Fair boulevard and 188th street, fronting 100 ft. on 188th street and 100 ft. on World's Fair boulevard, so as to restrict the northerly 25 ft. of said lot against any building being erected within 25 ft. of the

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south lot line of the buildings as proposed under N.B. Application No. 4542-40; that if such business building is constructed on the corner lot, the use thereof shall be in conformance with the requirements of the building zone resolution as to retail zoned district, and that in all other respects the dwellings shall comply with the requirements of the Administrative Building Code for similar buildings erected outside the fire limits.

1196-39-A.

APPLICANT—Allen A. Blaustein, for Walter Goat, owner (Maurice Bass, lessee).

SUBJECT—Application reopened March 12, 1940—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—322-324 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1196-39-A)

WHEREAS, this appeal from a decision of the acting borough superintendent of buildings, premises 322-324 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot No. 15), Borough of Brooklyn, was withdrawn October 24, 1939; and

WHEREAS, Allen A. Blaustein, for Walter Goat, owner, requested a reopening of the appeal predicated upon a new decision of the borough superintendent of buildings; and

WHEREAS, this appeal was reopened by vote of the Board March 12, 1940; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application No. 118-40, dated February 23, 1940, reads:

"1. Storage and parking of more than 5 motor vehicles on any portion of a street, between two intersecting streets in which portion there exists an exit from or an entrance to a public school is contrary to Art. V, Sec. 21, Zone Resolution."

and

WHEREAS, the premises consist of a plot 50 ft. by 100 ft. in area, and located in an unrestricted use B area district, upon which there exists a one-story frame office building 6 ft. by 8 ft. in area; it is proposed to use the balance of the plot for the storage and parking of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that this application affects a plot 50 ft. by 100 ft. in area, in lieu of the plot 91 ft. 8 in. by 100 ft. in area, which was previously considered by the Board under this calendar number; that the adjoining 41 ft. 8 in. wide plot which was part of the premises previously considered by the Board will be occupied for a conforming use; that the plot now before the Board was exactly the same property under which a certificate of occupancy was issued June 18, 1921, for a public garage; that section 21 of the zone resolution does not apply where a legally established use was in force in an unrestricted area before the erection of the public school; that a certificate of occupancy existed to store automobiles on this site, partly under cover and partly in the open; that the old loft and walls were demolished, but the use of the site remains the same; and

WHEREAS, the Board deemed that any previous garage use was discontinued upon the demolition of the buildings and that no legal right continued, to maintain a storage and

parking use for more than five (5) motor vehicles, on the unbuilt upon plot.

Resolved, that the decision of the borough superintendent of buildings, on B.N. Application No. 118-40, be and it hereby is affirmed and that the appeal be and it hereby is denied.

613-39-A-WF.

APPLICANT—Arthur Miller, for Vincent Maresca, present lessee (Long Island Railroad, owner).

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—134-15 Northern boulevard, north side, 85.91 ft. east of Collins place (Block No. 4946, Lot No. 77), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Miller and Vincent Maresca.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(613-39-A-WF)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, to permit in the World's Fair area the parking of more than five (5) motor vehicles, premises 134-15 Northern boulevard, north side, 85.91 ft. east of Collins place (Block No. 4946, Lot No. 77), Flushing, Borough of Queens, was granted by the Board June 20, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 20, 1939, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved shall be completed within three (3) months from the date of this amended resolution."

VARIATION OF THE LABOR LAW.

923-27-S.

APPLICANT—Albert Homer Swanke, for Louis H. Pink, Superintendent of Insurance, State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1995-2003 Jerome avenue, west side, 337.01 ft. south of West Burnside avenue (Block No. 2863, Lot No. 46), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert Homer Swanke and W. J. Cray.

For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

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APPLIANCES SUBMITTED FOR APPROVAL.

484-37-SA.

APPLICANT—Empyre Fire Equipment Manufacturing Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Approval of additional Model 2-X—re Stop-Fire Extinguisher, previously approved.

APPEARANCES—

For Applicant: Theodore Heilig.

ACTION OF BOARD—Application reopened and referred to engineer of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

443-38-SA.

APPLICANT—Bryant-Caldwell Corporation (distributor for Bryant Heater Company, owner).

SUBJECT—Application for consideration—reopening and amendment as to additional models, VB-6, VB-8, VB-10 and VB-12—re Bryant Vertical Forced Air Heater, Model 8, Type VB (gas fired), previously approved.

APPEARANCES—

For Applicant: Don L. Caldwell.

ACTION OF BOARD—Application reopened and referred to engineer of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

MATERIALS SUBMITTED FOR APPROVAL.

734-39-SM.

APPLICANT—Philip Cosentino, for Alessandro Cozzo, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re approval of additional name of "Excelled Drain Ring for W.C. Bowl" (Coboco Superior Drain Ring for W.C. Bowl, previously approved).

APPEARANCES—

For Applicant: Michael Erico.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(734-39-SM)

WHEREAS, Philip Cosentino, for Alessandro Cozzo, owner, filed June 3, 1939, an application with the Board of Standards and Appeals for approval of the material known as Coboco Superior Drain for W.C. Bowl; and

WHEREAS, this material was approved by vote of the Board July 18, 1939, in accordance with the report of the Committee on Tests; and

WHEREAS, the applicant requested amendment of the resolution so as to substitute the name "Excelled" for the name "Coboco".

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted July 18, 1939, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Excelled Drain Ring for W.C. Bowl, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with the previous report of the Committee on Tests."

1248-39-SM.

APPLICANT—Eastern Composition Stone Company, owner.

SUBJECT—Craftplaster, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1248-39-SM)

WHEREAS, Eastern Composition Stone Company, owner, filed October 10, 1939, an application with the Board of Standards and Appeals for approval of the material known as "Craftplaster"; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 8, 1940.

Cal. No. 1248-39-SM.

Subject: Approval of Craftplaster.

The Eastern Composition Stone Company, owner, filed October 10, 1939, an application with the Board of Standards and Appeals for approval of the material known as Craftplaster as manufactured by the Eastern Composition Stone Company.

This plaster is used as a finish material for use over gypsum brown, a Portland brown coat or a combination gypsum Portland cement brown. The material is supplied in textures float, and various colors and is suitable for float and smooth finishes.

This material was subjected to a one-hour fire test at the Protexol Laboratories on a panel 15½ in. by 25½ in. constructed of 2 in. by 4 in. wood studs, metal lath and plaster on both sides. The finish coat of plaster was divided into two sections. The lower part of the face was finished with a gypsum white coat and the upper half finished with the special ⅛ in. finish coat (Craftplaster) produced by the applicant. At the end of one hour standard fire test the exposed face was intact except that there had developed an irregular horizontal crack extending from edge to edge for the depth of the finish coat. No smoke or fire passed through the partition and the transmitted heat at the end of forty-five minutes was only 158 degrees Fahrenheit average.

An examination after the fire indicated that the studs were carbonized to a depth of about 1 in., but the plaster was intact.

On the basis of this test, it is recommended that Craftplaster be approved for use as a substitute for the finish (Gypsum) coat *only* when applied in a thickness of not less than ⅛ in. under C26-463.0 (8.4.10.7), C26-464.0 (8.4.10.8) and C26-312.0 (7.1.1.7.4). Administrative Building Code, on partitions requiring a fire resistive rating.

It is further recommended that Craftplaster be applied in accordance with the requirements and that each bag of the material be marked or labeled, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1248-39-SM".

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

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WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as "Craftplaster", on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

448-40-SM.

APPLICANT—The H. H. Robertson Company, Pittsburgh, Pennsylvania, owner.

SUBJECT—Robertson Cellular Beam Steel Floor and Roof Construction, Types K, FK, RK and UK, approval of.

APPEARANCES—

For Applicant: R. W. Gastmeyer.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

Note:

The report of the Committee on Tests and the resolution of the Board relative to the approval of the Robertson Beam Steel Floor and Roof Construction, Types K, FK, RK and UK, will be printed in a subsequent issue of the Bulletin. pending the submission by the applicant of a drawing capable of reproduction for Figures referred to in the report of the Committee on Tests.

710-40-SM.

APPLICANT—S. Lowe and Sons Company, owner.

SUBJECT—The Lowe Draft Controls (for metal smoke pipes), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(710-40-SM)

WHEREAS, S. Lowe and Sons Company, owner, filed June 28, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Lowe Draft Controls for Metal Smoke Pipes; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 710-40-SM.

Subject: Approval of the Lowe Draft Controls for Metal Smoke Pipes.

S. Lowe and Sons Company, owner and manufacturer, of Bridgeport, Connecticut, filed June 28, 1940, an application with the Board of Standards and Appeals for approval of the Lowe Draft Control under the provisions of C26-191.0 (2.2.3), Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

The Lowe Draft Control is completely assembled at the factory. The assembly consists of a cast iron mounting frame, damper plate, bearings, adjusting screw of Tobin bronze, tension spring of standard steel and usual attachment bolts.

This draft control has been approved by the Underwriters' Laboratories as maintaining the draft within the range normally required by oil burners and not

permit the discharge of products of combustion into the room.

The Lowe Draft Control is a sensitive torque operated draft regulator intended for installation in sheet metal smoke pipes of heating plants where a uniform draft is desired. The damper is designed for use in 8 and 9-inch metal smoke pipes.

The damper is actuated by the pressure differential between the arm on the inside and outside of the smoke pipe. The damper plate is relatively light in weight and its movement is regulated by means of a torsion spring attached to an adjusting screw. When the difference in pressure overcomes the weight of the damper plate and it causes it to open and permit air to enter the stack, this reduces the draft in the heating plant. In case of down drafts or excessive pressures within the smoke pipe, the damper plate closes and prevents discharge of products of combustion into the room.

Tests of this draft control were conducted by the committee of the Board and the control was found to operate satisfactorily.

On the basis of the above tests, it is recommended that the Lowe Draft Control be approved for use in New York City in oil burning installations for 8 and 9-inch smoke breeching, on condition that the control bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 710-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Lowe Draft Control for Metal Smoke Pipes, on condition that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

Adjourned, 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, JULY 12, 1940.

Present: Chairman Murdock and Commissioners Savage and Blum.

APPEALS FROM ADMINISTRATIVE DECISIONS.
554-40-A.

APPLICANT—Lama and Proskauer, for Margaret R. DiGioia, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2146 Gerritsen avenue, west side, 280 ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abram Shleifstein and Alfred A. Lama.

For Opposition: Paul Friedman, William M. Calder and Edwin W. Voorhies.

ACTION OF BOARD—Laid over for full vote of the Board.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum 2

Negative: Chairman Murdock 1

Absent: Deputy Chief Gunn 1

MINUTES

597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and also for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. Meredith Langstaff.

For Opposition: William Kent, Jr., and Herbert Birrell.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., for further consideration by the Board.

RULES.

639-40-SR.

SUBJECT—Proposed Rules for the Manufacturing, Testing and Use of Concrete Masonry Units.

APPEARANCES—John E. Bleibtrey, Sigurd Neatwait, M. P. Van Buren, George E. Strehan, Henry V. Spurr, George H. Krier, Lloyd W. Wecol, Ansel T. Rogers, Edmund H. Brooke, Karl Bloch, William Allik, G. Felbeck, Jr., Donald Baldwin, C. Eliot Stanford, J. H. Chubb, Lester Sanger, Frank Lumia and Joseph Cagliano.

ACTION OF BOARD—Laid over for further consideration and adoption by the Board after reviewing suggestions submitted.

Adjourned, 11:50 A.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on May 21, 1940, as they appeared in Bulletin No. 22, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(1266-25-BZ)

WHEREAS, this application to permit in a business use district the erection and maintenance of a gasoline service station; premises 668-672 New Lots avenue and 622-632 Jerome street, southwest corner (Block No. 4307, Lot No. 22), Borough of Brooklyn, was granted by the Board January 24, 1928, on certain conditions, and the present owner, Max M. Leder, through his architect, Jack Z. Cohen, requested a reopening of the application to permit the alteration and extension of an accessory building to this station; and

WHEREAS, this application was reopened by vote of the Board June 28, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 21, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New Lots avenue is in a business use district; Jerome street and Schenck avenue are in residence and business use districts; Repose place is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Appl. 4443-39, dated March 7, 1940, reads:

"1. Extension of existing building in connection with gas station now existing in business use district not permitted. Sec. 4a (46) Zone Resolution.

Above application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 90 ft. on Jerome street, 44 ft. 1 in. on New Lots avenue and a distance of 90 ft. 1 in. along the westerly lot line; on the south portion of the plot there is located a one-story building, 23 ft. by 48 ft. in area, occupied as an office and auto laundry in conjunction with the gasoline service station covering the remainder of the plot; upon the west lot line there is located a masonry wall 12 ft. in height; it is proposed to decrease the height of the wall on the New Lots avenue building line and to erect upon the southerly portion of the plot a one-story structure, 24 ft. by 48 ft. 5 in. in area, to be used as lubritorium, auto laundry, store and office in conjunction with existing gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 24, 1928, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that a wall of approved masonry not less than 12 ft. in height shall be erected on the lot line adjoining the contiguous properties, faced with enamel or light colored brick; that any electric lights, spot-lights or stand-lights erected on the premises shall be provided with reflectors at the rear to protect the adjoining abutting properties from glare.

Resolved further, that in the event the owner desires to rearrange the existing gasoline service station by constructing an additional one-story extension toward the west by rearranging the present accessory store and laundry, so as to provide a new laundry and covered lubritorium space, such rearrangement may be permitted, and the accessory store may be extended along the lot line wall to the west by approximately 35 ft., substantially as indicated on plans marked 'Received March 18, 1940', on condition that all existing open grease pits shall be entirely removed; that the premises where not covered by accessory building and pumps shall be cement paved; that the existing brick wall to the west may be reduced in height, as indicated, for a distance back from New Lots avenue of 15 ft. to an average height of not less than 6 ft. but not less than 4 ft. at the building line; that the pumps shall be relocated so as to be not nearer than 15 ft. to either street building line; that there shall be erected at the intersection of Jerome street and New Lots avenue a block of concrete, triangular in shape, not less than 1 ft. in height, extending not less than 5 ft. from the intersection; that window openings on the Jerome street wall shall have metal frames and sash, with sills not less than 5 ft. in height above the sidewalk grade; that there shall be no openings in the lot line wall to the south; that there shall be no open excavation in the existing accessory building or proposed extension; that any existing cellar shall be completely filled to grade, and any heating system installed requiring a heating boiler shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the greasing equipment shall be of the hydraulic lift type or one hydraulic lift and grease pit; that in the event the grease pit is installed, a ventilating system shall be supplied from the bottom of the pit, with ducts through the roof, and having a sparkproof fan motor; that not more than five (5) gasoline storage tanks shall be installed; that signs shall be restricted to permanent signs attached to the accessory building and to the accessory store, excluding all roof signs and temporary signs, but permitting the erection within the building line, near the intersection of New Lots avenue and Jerome street, of a post stand-

MINUTES

ard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and which may extend beyond the building line for a distance of not more than 5 ft.; that no automobile repairing shall be carried on on the premises; that there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the partition separating the auto laundry and the accessory store shall be constructed of approved fireproof materials, approved for a one-hour rating with fireproof, self-closing door approved for one

hour; that the ceiling throughout the building shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that complete working drawings shall be submitted to the chairman for approval before same are filed with the borough superintendent of buildings, and after said approval, all permits required shall be obtained and all work completed within one year thereafter."

* Correction—The word "Verona" changed to "Jerome" in line 30 of resolution.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Maximum linear expansion, per cent	$\frac{1}{2}$	$\frac{1}{2}$	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

- NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.
- NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.
- NOTE 3. Minimum deflection at rupture shall be not less than .25".
- NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.
- NOTE 5. Edges shall be square for building board.
- NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.
- NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with $1\frac{1}{8}$ " No. 13 gauge blued or galvanized plaster board nails, with $\frac{3}{8}$ " heads for $\frac{1}{2}$ " board and $1\frac{3}{4}$ " nails with $\frac{3}{8}$ " heads for $\frac{3}{4}$ " or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than $\frac{2}{3}$ by weight of sand and $\frac{1}{3}$ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than $1\frac{1}{2}$ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than $\frac{1}{4}$ " thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than $\frac{3}{4}$ by weight of sand and the remaining $\frac{1}{4}$

RULES

shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of 1/2" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1 1/2" wire nails, 6" or less c-c, with 3/8" head, and for 3/4" or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE. Untreated combustible insulation board of a single layer or thickness not to exceed 1/2" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

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If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

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			No. 30

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.
Address all communications to the Chairman.

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40-A and 780-40-A.
Remaining minutes of the recessed meeting of July 16,
1940, will be printed in the Bulletin of July 30, 1940.)

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to July 23, 1940.

Cal. No. Department. Premises Affected.

795-40-BZ....H.B.B.....546-548 Ralph avenue, west side, 107 ft. 9½ in. north of St. Johns place (Block No. 1381, Lot No. 44), Borough of Brooklyn,
Decision—re Drop Curb Applic. 223-40 and Permit No. 364-34.

796-40-A.....H.B.Q.....171-50, 171-54 and 171-58 Gladwin avenue, southwest corner of Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens, N.B. 4833-40 to N.B. 4835-40, inclusive.

797-40-A.....H.B.Q.....171-31, 171-35, 171-39, 171-43 and 171-49 Gladwin avenue, northwest corner of Fresh Meadow lane (Block No. 5578, Lot No. 1), Flushing, Borough of Queens, N.B. 4836-40 to N.B. 4840-40, inclusive.

798-40-A.....H.B.Q.....47-48 Fresh Meadow lane, southwest corner of Effington avenue (Block No. 5578, Lot No. 1), Flushing, Borough of Queens, N.B. 4869-40.

799-40-A.....H.B.Q.....172-22, 172-26 and 172-30 Effington avenue, south side, .69 ft., 40.69 ft. and 80.69 ft. west of Fresh Meadow lane (Block No. 5578, Lot No. 1), Flushing, Borough of Queens, N.B. 4690-40 to N.B. 4692-40, inclusive.

800-40-SM.....EC-269 3-M Acoustical Cement, manufactured by Minnesota Mining and Manufacturing Company, Material.

801-40-SM.....Kernerator Hopper Door, Type B-55 (for incinerators), manufactured by Kerner Incinerator Company, Material.

802-40-BZ....H.B.Q.....168-26 Liberty avenue, southeast corner of 168th place (Block No. 10222, Lot No. 9), Jamaica, Borough of Queens, Misc. Applic. 2563-40.

803-40-A.....H.B.B.....1353 51st street, north side, 400 ft. east of 13th avenue (Block No. 5649, Lot No. 56), Borough of Brooklyn, Alt. 3115-40.

804-40-BZ....H.B.Q.....28-14 37th avenue, south side, 25 ft. west of 29th street (Block No. 370, Lot No. 14), Long Island City, Borough of Queens, N.B. 4989-40.

805-40-A.....H.B.B.....150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 14), Borough of Brooklyn, Alt. 3729-40.

806-40-BZ....H.B.M....4566 Broadway and 2 Nagle avenue, northeast corner (Block No. 2172, Lot No. 1), Borough of Manhattan, Decision—re Certificate of Occupancy.

807-40-BZ....H.B.Bx...1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, Lot No. 1), Borough of The Bronx, Decision—re Certificate of Occupancy.

808-40-A.....F.D.....133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn, Decision—re 82998-L.C.

809-40-GR.....General Instruction No. 39, issued by Fire Commissioner May 3, 1912—re Fire Appliances (fire extinguishers), incorporated as a General Resolution, General Resolution.

810-40-A.....F.D.....315 and 325 East 103rd street, north side, 250 ft. west of First avenue, and 324 and 326 East 104th street (Block No. 1675, Lot No. 11), Borough of Manhattan, 8568-L.F., 8570-L.F. and Decision.

811-40-S.....H.B.B.....175 Shepherd avenue, east side, 120 ft. south of Fulton street

CALENDAR

(Block No. 3958, Lot No. 134), Borough of Brooklyn, 5041-L.F.

812-40-BZ....H.B.M....3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan,
Decision—re Certificate of Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On July 22, 1940, an order of certiorari was served on the Board by John J. McAdam, attorney, on behalf of Philip Hirshkind, lessee (Manufacturers Trust Company, owner), in re decision of the Board of May 21, 1940, denying, under section 7h, temporary parking and storage of automobiles, Cal. No. 1308-39-BZ, premises 32-14 31st street, Astoria, Borough of Queens.

COURT DECISION.

In re 500 East 117th Street Corporation (Murdock et al)—On February 6, 1940, the Board affirmed decision of the borough superintendent of buildings denying certificate of occupancy for a five-car garage in a residence district (which had been changed from an unrestricted district after plans had been filed), Cal. No. 76-40-A, premises 316 Pleasant avenue, Borough of Manhattan. The Board suggested applicant file a zoning application for a zoning variance, as such a question could not be considered on the appeal to compel issuance of the certificate of occupancy. Mr. Justice Benvenga (N.Y.L.J. July 17, 1940) sustained the Board, stating: "From an examination of the papers, it appears that the petitioner can apply to the Board of Standards and Appeals for a variance of the zone resolution. * * * petitioner's appeal to this court is therefore premature and the motion to dismiss is accordingly granted without prejudice to the right of the petitioner to again seek relief in this court in the event that the Board of Standards and Appeals denies the application for a variance of the building zone resolution."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....Jan.	16, 140—Vol. 25, No. 3
Certificate of Occupancy, approved form.....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules.....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Feb.	27, 1940—Vol. 25, No. 9
Fire Alarm Rules (Interior).....Sept.	12, 1939—Vol. 24, No. 37
Fire Drill Rules.....May	21, 1940—Vol. 25, No. 21
Fire-resistant, Flameproof Materials, etc., Rules for Testing of.....May	14, 1940—Vol. 25, No. 20
Fire Retarding Rules for Garages, etc.....July	9, 1940—Vol. 25, No. 28
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules.....Mar.	5, 1940—Vol. 25, No. 10
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection.....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....July	16, 1940—Vol. 25, No. 29
Oil Burner Rules.....June	18, 1940—Vol. 25, No. 25
Opening Protective Assemblies, Rules for Inspection of.....Dec.	5, 1939—Vol. 24, No. 49
Paint, Varnish and Lacquer Spraying Rules.....June	25, 1940—Vol. 25, No. 26
Platform Trucks, Specifications for.....Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules.....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....May	28, 1940—Vol. 25, No. 22
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36

Refrigerating Systems, Extract A.C. June	11, 1940—Vol. 25, No. 24
Smoking in Factories, Rules for.....July	16, 1940—Vol. 25, No. 29
Sprinkler Rules.....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Mar.	5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Domestic and Commercial Use.....Aug.	29, 1939—Vol. 24, No. 35
Fuel Oil Fill Pipe Terminals.....Mar.	5, 1940—Vol. 25, No. 10
Fuel Oil Burners for Industrial Use.....Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps.....June	18, 1940—Vol. 25, No. 25
Gas Heaters.....Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spraying Equipment.....Nov.	14, 1939—Vol. 24, No. 46
Range Oil Burners and Space Heaters.....Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers.....May	28, 1940—Vol. 25, No. 22

SEPTEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CALENDAR

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

CALENDAR

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.

783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlein Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, JULY 16, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meeting of the Board held on Tuesday morning, June 18, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 18, 1940, were approved as printed in Bulletin No. 26, Vol. 25.

BUILDING ZONE CASES.

192-29-BZ.

APPLICANT—H. A. Mugler, for Veronica Kambeurian, owner.

SUBJECT—Application reopened January 3, 1939 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board).

PREMISES AFFECTED—58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: H. A. Mugler, Victor Kambeurian and Veronica Kambeurian.

For Opposition: Walter H. Merritt.

ACTION OF BOARD—Referred to engineer of the Board to set new date of hearing after submission of proper list of owners.

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1938 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., for decision by the Board.

489-38-BZ.

APPLICANT—Lama nad Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application reopened October 3, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board).

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, L. Rapp and Cornelius G. De Loca.

For Opposition: Albert F. Proctor, W. A. Beaudel and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to same hearing date as Cal. No. 375-40-BZ for decision without further argument.

230-40-BZ.

APPLICANT—Reginald S. Hardy, for Winchester Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: Carl Brecher.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., on request of applicant. Applicant to notify affected property owners of this hearing by regular mail.

297-40-BZ.

APPLICANT—Henry Nordheim, for The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Henry Albert, Herman A. West and Louis Witkin.

For Opposition: Earl I. Gallant, Henry J. Henze, J. D. Moore, A. Winter, Anna Vanter, Joseph Yasgier and Charles Tilgner, Department of Education.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., for further hearing, with the understanding that the parking of cars will be discontinued on the premises as soon as the existing monthly contracts for same expire.

193-40-BZ.

APPLICANT—A. Paul Loshen, for Charles Weber, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, the erection and maintenance of a garage for more than three (3) motor vehicles erected on the premises appertinent to a multiple dwelling; garage space is for the use of tenants only.

PREMISES AFFECTED—175-35 Dalny road, northwest corner of Highland avenue (Block No. 9884, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

272-40-BZ.

APPLICANT—Gould de Neergaard, for Spuyten Duyvil Tower, Incorporated, owner.

MINUTES

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7g and 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—West side of Kappock street, 475 ft. north of Johnson avenue (Block No. 3407, Lot Nos. 128 and 84), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank A. Rappolt and Gould de Neergaard.

For Opposition: Arthur J. McBride, Charles Tilgner, W. E. Williams and J. F. Joyce.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

1613-17-BZ.

APPLICANT—William Shary, for Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee).

SUBJECT—Application reopened April 9, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station.

PREMISES AFFECTED—107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 [2049], Lot No. 3), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Shary and William R. Altman.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1613-17-BZ)

WHEREAS, this application to permit in a business use district the erection of a public garage, premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue, Forest Hills, Borough of Queens, was granted by the Board November 27, 1917, on certain conditions; and

WHEREAS, William Shary, for Continental Garage, Incorporated, owner, requested reopening of the application under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of the garage so as to include an alcove gasoline station; and

WHEREAS, this application was reopened by vote of the Board April 9, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a retail

and residence use district; Austin street and 70th road are in retail and unrestricted use districts; 71st avenue is in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 421-1940, dated March 4, 1940, and as amended June 5, 1940, reads:

"1. Alteration of existing storage garage for more than five motor vehicles and gasoline service station in a retail district is contrary to the Zone Law (Art. II, Sec. 6 and Sec. 4A, Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 101.5 ft. on Queens boulevard, 26.11 ft. on 70th road and a distance of 130 ft. along the south lot line; the south portion of the plot extends into the unrestricted use district and the remainder of the plot is located in a retail use district; upon the plot there is located a garage for more than five (5) motor vehicles with a front wall of the garage located to the south of the Queens boulevard building line; it is proposed to remove and to relocate this front wall so as to occupy the resulting area as a gasoline service station, as shown on plans filed with this application; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on November 27, 1917, so that as amended it shall read:

"Resolved, that the application, to permit in a business use district the erection of a one-story public garage, be and it hereby is granted on condition that any necessary permits for the prosecution of the work shall be obtained within one (1) year from the date of this action; that in the event the owner desires to extend the gasoline selling area at front of garage as permitted by the Fire Department and substantially as indicated on plans marked 'Received June 6, 1940', the reconstruction of the gasoline selling area may be permitted, on condition that all gasoline pumps shall be removed and any new pumps erected shall be located not nearer than 15 ft. to the street building line of Queens boulevard; that the front wall, as shown, may be moved further back in order to permit the location of pumps as herein required; that no greasing equipment shall be installed toward the front of garage, and if any greasing equipment is installed, it shall be located in the garage not nearer than 100 ft. of the street building line of Queens boulevard; that the existing roof sign shall be removed and no new roof signs installed; that all signs shall be restricted to permanent legal signs attached to the facade of the garage and showroom and to the illuminated globes of the pumps, excluding all temporary signs, but permitting the construction of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line a distance of not more than 4 ft.; that the new front walls shall be constructed of approved masonry consisting of face brick or stone and structural glass; that no motor vehicle repairing shall be carried on; that no portable gasoline tanks shall be used on or from the premises; that the chimney shall be reduced in height so as not to rise above the front parapet; that if this alteration is carried through, all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this amended resolution, and that in all other respects the resolution as adopted by the Board on November 27, 1917, shall be complied with."

390-27-BZ.

APPLICANT—Reginald S. Hardy, for Morben Properties, Incorporated, owner.

SUBJECT—Application reopened May 9, 1939, for rehear-

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ing by order of the court (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: Joseph A. Schneider.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum 2

Negative: Chairman Murdock and Deputy Chief

Gunn 2

THE RESOLUTION—

(390-27-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit, partly in a business use district, and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 73-34 to 73-46 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens, was reopened by vote of the Board May 9, 1939, in accordance with an order of the court; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cooper avenue is in a business use district; 73rd place is in business and residence districts; 74th street and 75th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 10096-1939, dated May 15, 1940, reads:

"1. Proposed construction of a gas station, auto laundry and lubritorium partly in a residence and partly in a business use district is contrary to Art. 2, Sec. 3 and 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 99.06 ft. on Cooper avenue, a distance of 110 ft. along the east lot line and a distance of 80 ft. along the south lot line; a small irregular shaped area at the southeast corner of the plot is in a residence use district and the remainder of the plot is in a business use district; it is proposed to erect upon the plot a Class 3 building, 52 ft. by 24 ft. 8 in. in area, to be used as office, auto laundry and lubritorium, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Application No. 10096-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

555-27-BZ.

APPLICANT—Conroy and Hardy, for Elizabeth W. Herman, owner.

SUBJECT—Application reopened February 14, 1940, under alleged new facts (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: Ronald O. Eastman, Joseph Callo, John K. Schaefer, O. Francis Kapp and A. Boyajian.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(555-27-BZ)

WHEREAS, this application to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises 2815-2819 Boston Post road and 926-930 Arnow avenue, southwest corner (Block No. 4516, Lot No. 29), Borough of The Bronx, was denied by the Board January 31, 1928; and

WHEREAS, Conroy and Hardy, for Elizabeth W. Herman, owner, requested rehearing of the application on the basis of new facts; and

WHEREAS, this application was reopened by vote of the Board February 14, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston Post road is in a business use district; Arnow avenue, Radcliffe avenue and Colden avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 862, dated December 19, 1939, reads:

"1. The erection of the proposed gasoline service station in a business district is contrary to Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 72.9 ft. on Boston Post road, 112.4 ft. on Arnow avenue and a distance of 85.5 ft. along the south lot line; it is proposed to erect upon the plot a one-story structure, 45 ft. 8 in. by 26 ft. 2 in. in area, to be used as office, auto laundry and lubritorium and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on N.B. Application No. 862-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

814-28-BZ.

APPLICANT—William Reich, for John Cestaro, Patrick LaTrace and Joseph Cestaro, owners.

SUBJECT—Application reopened October 24, 1939 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station (said gasoline service station previously granted by the Board).

PREMISES AFFECTED—796-802 Metropolitan avenue

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and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Reich and Patrick La-Trace.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(814-28-BZ)

WHEREAS, this application to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises 796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn, was granted by the Board February 26, 1929, resolution amended November 17, 1931; and

WHEREAS, William Reich, for John Cestaro, Patrick La-Trace and Joseph Cestaro, owners, requested a reopening of the application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of said gasoline service station; and

WHEREAS, this application was reopened by vote of the Board October 24, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metropolitan avenue, Maspeth avenue, Orient avenue and Bushwick avenue are in business and residence use districts; Humboldt street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 1448-39, dated October 13, 1939, reads:

"Extension of a gas station in a business use district is contrary to Building Zone Resolution Art. II, 4(a) 46. Proposition denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 79 ft. 4 in. on Bushwick avenue, 60 ft. on Metropolitan avenue and a distance of 80 ft. along the south lot line; upon the north portion of the plot there is located a gasoline service station having a frontage of 62 ft. 5 in. on Bushwick avenue, 60 ft. on Metropolitan avenue and a distance of 60 ft. 5 in. along the west lot line; it is proposed to demolish the office now on the site, to remove the grease pits and to occupy the entire plot as a gasoline service station as shown on filed plans; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted February 26, 1929, as amended by resolution adopted on November 17, 1931, by adding thereto:

"that in the event the owner desires to increase the size of the plot and to reconstruct the accessory building substantially as indicated on plans marked 'Received April 26, 1940,' such extension and reconstruction may be permitted, on condition that the accessory building shall be erected as indicated toward the southerly lot line, and shall not exceed one story in height, and shall be constructed of fire-resisting materials except for the roof beams and boarding, window frames and sash, door frames and doors, which may be of wood, and provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the lot line walls to

the adjoining premises; that no closure doors shall be constructed in the greasing section unless the greasing equipment is of the hydraulic type, or if a pit type, that the ventilation of the greasing pits shall be provided with ducts through the roof and a motor-driven fan of the sparkproof type; that the plot where not covered by accessory buildings shall be cement paved; that entrances shall not exceed one to Metropolitan avenue not over 30 ft. in width and two to Bushwick avenue not exceeding 15 ft. in width each; that a concrete platform shall be constructed at the intersection of the building line, triangular in shape, extending for a distance of not more than 8 ft. from the intersection of Metropolitan and Bushwick avenues in each direction; that the existing gasoline pumps shall be relocated so that they are not nearer than 15 ft. to either street building line; that the existing outdoor greasing pits shall be removed; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the gasoline pumps, excluding all roof and temporary signs, but permitting the erection within the building line of a post standard to support a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that there shall be no motor vehicle repairing on the premises; that there shall be no parking of cars other than those being serviced; that there shall be no portable gasoline pumps used on or from the premises; that in all other respects the requirements of the resolution adopted by the Board on February 26, 1929, as amended on November 17, 1931, shall be complied with; that no gasoline tanks shall be installed within 20 ft. of the subway walls; that in the event the owner desires to reconstruct the gasoline station as herein permitted, all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

1447-39-BZ.

APPLICANT—Sidney L. Strauss, for Marie Hediger, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: Theodore R. Feinberg and Joseph W. Giegerich.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1447-39-BZ)

WHEREAS, Sidney L. Strauss, for Marie Hediger, owner, filed November 28, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, the parking of more than five (5) motor vehicles; premises 79-51 Cooper avenue, north side, 191.33 ft. west of 69th road (Block No. 9549, Lot No. 20), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

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ing, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cooper avenue, 69th drive, 79th street and 80th street are in business and unrestricted use districts; 69th road is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 9172-1940, dated November 9, 1939, and as amended February 19, 1940, reads:

"The erection of a gasoline service station, automobile repair shop and the parking of more than 5 motor vehicles within a business district is contrary to Article 2, Section 4 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on Cooper avenue and a depth of 90 ft.; it is proposed to erect upon the plot a one-story, Class 3 building, 80 ft. by 22 ft. in area, to be used as office, lubricatorium, auto laundry and motor vehicle repair shop and, also, to install the necessary tanks and pumps for a gasoline service station and to occupy a portion of the plot for parking more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, as to N.B. Application No. 9172-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

30-40-BZ.

APPLICANT—Herman Kron, for Central Savings Bank, owner (Harry Bluthman, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Harry Bluthman.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(30-40-BZ)

WHEREAS, Herman Kron, for Central Savings Bank, owner, filed January 9, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 114-118 Lewis street, east side, 125 ft. south of East Houston street (Block No. 330, Lot Nos. 45, 46 and 47), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lewis street, East Houston

street and Stanton street are in retail and residence use districts; Goerck street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 9, 1940, reads:

"Your application dated September 6, 1939, for a certificate of occupancy for the use of the above premises for parking and storage of more than five motor vehicles has been denied for the reason that the premises are located in a retail district where this occupancy is prohibited by section 4-A of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Lewis street and a depth of 100 ft.; it is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the committee of inspection recommends that inasmuch as there is no need for the use in the immediate area, the application should not be granted.

Resolved, that the decision of the borough superintendent of buildings, acting on application for certificate of occupancy dated January 9, 1940, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

289-40-BZ.

APPLICANT—William H. Fuhrer, for Martha Adler and Lerad Realty Corporation, owners (Sam Adler, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension in height of an existing milk bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: W. H. Fuhrer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(289-40-BZ)

WHEREAS, William H. Fuhrer (Sam Adler, Incorporated, lessee), for Martha Adler and Lerad Realty Corporation, owners, filed March 18, 1940, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension in height of an existing milk bottling and distributing station; premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block No. 2278, Lot Nos. 64 and 69), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 133rd street and Brown place are in business, residence and unrestricted use districts; East 134th street is in a residence use district; Willis avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 26, 1940, and as amended May 5, 1940, reads:

"1. The proposed extension in height of present milk bottling and distributing station in a business use dis-

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trict is contrary to Par. 4-A, Subd. 23 of the building zone resolution."

and
WHEREAS, the existing building is of non-fireproof construction, 150 ft. front and 100 ft. deep, one and two stories in height; it is proposed to add an additional story to the easterly one-story section (having a frontage of 75 ft.) of the existing building; the existing building is used as a milk bottling and distributing station and the proposed use of the additional story is for general offices of the plant; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision c, to permit the proposed extension, as indicated on revised plans marked "Received July 11, 1940", for such occupancy as indicated thereon, *on condition* that no new sign shall be erected, except that the existing roof sign now on the first story portion of the building may be raised to a similar position on the proposed second story roof; that the water-cooling apparatus on the roof shall be equipped with a shield toward the north to prevent spray blowing toward the residential occupancies on East 134th street; that all existing windows at the rear of building and on any court leading to the rear yard shall be blocked with approved masonry; that there shall be no windows in the rear wall of the proposed second story extension; that the existing skylights on the roof shall be removed and interior mechanical ventilation, as required, shall be installed with intakes and exhausts, as indicated on plans marked "Received July 11, 1940", except that the exhaust ducts shall be extended so as to exhaust toward and within 20-ft. of the East 133rd street building wall; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied as at present by the present occupant or his successor in a similar line of business, and that all permits shall be obtained and all work shall be completed within one (1) year from the date of this resolution.

415-40-BZ.

APPLICANT—Andrew A. Marjey, for Borough Hall Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7b and 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story).

PREMISES AFFECTED—124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(415-40-BZ.)

WHEREAS, Andrew J. Marjey, for Borough Hall Holding Corporation, owner, filed April 22, 1940, an application under sections 7b and 7c of the building zone resolution, to permit,

partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; 82nd avenue and 82nd road are in residence and business use districts; 132nd street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 2532-40, dated April 18, 1940, reads:

"The extension of a business building into a residence district is contrary to Art. 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the proposed building will be of non-fireproof construction, with a frontage of 120.5 ft. on Queens boulevard and 150.3 ft. on 82nd avenue, irregular in shape, two stories in height; it is proposed to occupy the building for stores on the first story and offices on the second story; an irregular shaped area of the building having a frontage of approximately 30 ft. on 82nd avenue is located in the residence use district and the remainder is in a business use district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c, to permit the extension into residential area, as proposed, and as shown on plans filed with this application marked "Received April 22, 1940", *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations of the building zone resolution, as amended by the Board of Estimate June 28, 1940, particularly with reference to section 19h; and, *further*, that no signs shall be erected within the residential area, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

417-40-BZ.

APPLICANT—Victor Greiff, for Helen Greiff and Lotti J. Greiff, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and G area district the erection and maintenance of a one-car garage, accessory to the dwelling on the premises, which garage does not conform to the G area requirements of the building zone resolution.

PREMISES AFFECTED—159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Neponsit, Borough of Queens.

APPEARANCES—

For Applicant: Victor Greiff.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

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THE RESOLUTION—

(417-40-BZ)

WHEREAS, Victor Greiff, for Helen Greiff and Lotti J. Greiff, owners, filed April 22, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and G area district the erection and maintenance of a one-car garage, accessory to the dwelling on the premises, which garage does not conform to the G area requirements of the building zone resolution; premises 159 Beach 142nd street, west side, 403.52 ft. south of Rockaway Beach boulevard (Block No. 782, Lot Nos. 27 and 30), Neponsit, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Beach 142nd street, Beach 143rd street and Rockaway Beach boulevard are in residence use and G area districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 9412-1939, dated April 17, 1940, and as amended June 24, 1940, reads:

"4. Objection No. 1 not removed.

(Proper side yards as per Zone G requirements not provided.)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft.; upon the plot there is located a two and one-half story dwelling; it is proposed to erect on the northwest portion of the plot a one-car private garage, accessory to the dwelling; the garage is located 6 in. from the rear lot line and 6 in. from the north side line of the plot instead of the required 5 ft. setback as required by the building zone resolution; and

WHEREAS, the Board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21, to permit the location of the private accessory garage as proposed, *on condition* that it shall not be erected nearer to an interior lot line other than as shown on plans marked "Received April 22, 1940"; that there shall be no openings in the walls facing adjoining premises; that this variation shall continue only so long as the garage is used as proposed, as accessory to the residence occupying Lot Nos. 27 and 30, with a total frontage of not less than 100 ft.; that in all other respects the construction of building shall comply with the requirements of the building code therefor, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

421-40-BZ.

APPLICANT—J. Jacques Stone, for W. Goadby Loew and U. S. Trust Company of New York, as trustee of Estate of Charles F. Rowe, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone and Helen Grohan.
For Opposition: Daniel Whooley, B. Gollay, Herman Grant, Max Perlman, Ralph Bash and W. J. Whittaker.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(421-40-BZ)

WHEREAS, J. Jacques Stone, for W. Goadby Loew and U. S. Trust Company of New York, as trustee of Estate of Charles F. Rowe, owners, filed April 24, 1940, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 32nd street and Fourth avenue are in business and restricted retail use districts; East 31st street and Lexington avenue are in business use districts; Park avenue is in a restricted retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 36-1940, dated March 29, 1940, reads:

"No. 1. The parking and storage of more than five motor vehicles in a business use district is contrary to article 2, section 4, subdivision 15 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 65 ft. on East 32nd street and a depth of 98 ft. 9 in.; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deems that this is a proper case in which to exercise its discretion to grant under section 7h of the building zone resolution for transient parking only.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for transient parking of motor vehicles, *on condition* that only those of the pleasure-car type shall be so parked; that the plot shall be leveled substantially to the grade of East 32nd street and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound; that on interior lot lines where walls of adjoining buildings do not occur there shall be erected a substantial woven-wire fence with steel posts not less than 7 ft. in height; that a similar fence shall be erected along the building line of East 32nd street continuously except for an entrance not over 15 ft. in width with curb cut opposite of similar width; that during the term of this permit the premises shall be used for no other use than as herein permitted, and no buildings shall be erected thereon, except there may be erected a building as office and shelter for the attendant, not exceeding 100 sq. ft. in area and one story in height, which may be of frame construction; that there shall be erected along the interior lot lines for protection to adjoining buildings a substantial curb of concrete not less than 18 in. in width; that a similar curb

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shall be erected along the rear lot line; that signs shall be restricted to a sign not over 15 sq. ft. in area, advertising the transient parking use, attached to the fence near the entrance, but not extending beyond the building line and not illuminated; that proper aisles shall be maintained at all times for easy ingress and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

436-40-BZ.

APPLICANT—L. W. Rothman, for Mollie Schorr, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman and Max Schorr.

For Opposition: Herman S. Goldstein, Jack J. Altes, Dr. Charles S. Mirken and Charles Abromowitz.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(436-40-BZ)

WHEREAS, Lawrence M. Rothman, for Mollie Schorr, owner, filed April 25, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); premises 989-999 East 179th street, north side, 31.68 ft. west of Bryant avenue (Block No. 3132, Lot No. 3), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 178th street and East 179th street are in residence and business use districts; East 180th street and Boston road are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 324-1940, dated April 18, 1940, reads:

"1. The proposed erection of a business building, stores, in a residence use district, is contrary to Section 3 of the Building Zone Resolution."

and
WHEREAS, the proposed building is of Class 3 construction, 35 ft. front by 55 ft. deep and one story in height; it is proposed to occupy the proposed structure as a business building (three stores); and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application No. 324-1940, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

485-40-BZ.

APPLICANT—Emanuel M. Glick, for Methill Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7b of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store).

PREMISES AFFECTED—West side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Emanuel M. Glick, Samuel Jackson and Morris Nicholson.

For Opposition: Arthur M. Stern, David Gross and Amelio Mastrangelo.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(485-40-BZ)

WHEREAS, Emanuel M. Glick, for Methill Realty Corporation, owner, filed May 7, 1940, an application under section 7b of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Castle Hill avenue and Westchester avenue are in business use districts; Purdy street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 338-1940, dated May 2, 1940, reads:

"1. Extension of business use into residence area, contrary to Section 3 of the Building Zone Resolution." and

WHEREAS, the proposed building will be of non-fireproof construction, 74 ft. 6 in. by 104 ft. 8 in. in area and one story in height; it is proposed to occupy the building as a business building (store); the rear of the building extends for a distance of 4 ft. 6 in. into the residence use district and the remainder is in a business use district; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision b.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision b, to permit the extension of the business use into the residence district, as indicated on plans filed with this application, *on condition* that that portion of the building so extended into the residence district shall comply with the area requirements of the zoning resolution therefor; that no windows shall be erected in the rear wall of the building unless same are made fireproof and fixed and glazed with wire glass, except that windows may open on a legal court or yard, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this action.

Adjourned, 4:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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REGULAR MEETING.

TUESDAY AFTERNOON, JULY 16, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

502-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Arthur Drayer and Son, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariner's Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

509-40-A.

APPLICANT—Klin Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—162-04 Jamaica avenue, south side, 24 ft. east of Union Hall street (Block No. 10102, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES

For Applicant: None.

For Administration: Thomas A. Larkin, Jr., Fire Department.

ACTION OF BOARD—Appeal withdrawn on written request of applicant, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

42-40-A.

APPLICANT—Everlasting Bed Company, Incorporated (lessee), for Julius Altschul, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Anthony Armao.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(42-40-A)

WHEREAS, Everlasting Bed Company, Incorporated, lessee, for Julius Altschul, owner, filed January 11, 1940, an appeal from an order and a decision of the fire commissioner; premises 59-75 Thames street and 92-104 Knickerbocker avenue, northeast corner (Block No. 3008, Lot No. 22), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 81684-LC, dated November 17, 1939, reads:

"1. Provide that spraying or dipping spaces shall be mechanically ventilated when in operation so that the movement of air shall be at least 100 linear feet per minute in the breathing zone of the operator and be of

sufficient capacity to prevent the accumulation of mist or vapors. Rule 3.1, Spray Rules."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated January 5, 1940; and

WHEREAS, the building is four stories in height, approximately 207 ft. by 90 ft., irregular in area; of Class 3 construction; located in an unrestricted use B area district; erected about 1927; equipped with a standpipe and sprinkler system, and occupied: cellar, boiler-room, 1 person; first story, manufacturing of metal beds, 20 persons; second story, manufacturing of clothing, 50 persons; third story, manufacturing of clothing, 40 persons; fourth story, manufacturing of clothing and radio cabinets, 50 persons; and

WHEREAS, the applicant contends that the dipping tank in question is used only ten minutes per day; that the tank is used for dipping enameled springs; that it is possible the use of the dipping tank will be discontinued entirely within a short time; that it is requested that the requirements of the fire commissioner's order be waived in view of the foregoing facts.

Resolved, that the order of the fire commissioner, Order No. 81684-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall also be maintained as the fire commissioner shall direct; that no additional dipping or spraying facilities shall be installed; that the spray equipment shall meet the requirements of law therefor; that the dipping tank when filled with spraying material and when not in use shall be covered with tight-fitting covers; that this variance shall continue only so long as conditions are maintained as herein set forth and limited to the first story of the building and for the present occupancy; that during the time that spraying and dipping is carried on, sufficient windows shall be left open so as to provide natural ventilation; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

438-40-A.

APPLICANT—Michael Savarick, lessee, for Nathan Stern, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1008 Winthrop street, south side, 75 ft. west of East 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Lieberman.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock 1
Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

THE RESOLUTION—

(438-40-A)

WHEREAS, Michael Savarick, for Nathan Stern, owner, filed April 25, 1940, an appeal from an order and a decision of the fire commissioner; premises 1008 Winthrop street, south side, 75 ft. west of East 92nd street (Block No. 4627, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 81943-C, dated December 18, 1939, reads:

"1. Provide that walls of rooms used for handling photographic film be constructed of fire retarding material, plaster board ½ in. or hard asbestos ¼ in. thick on both sides of wood studs.

2. Make doors of room used for handling photographic film metal covered and self-closing.

4. Provide two (2) exits from each work room on each story wherein more than two (2) persons are employed.

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7. Provide a sprinkler system on the premises. Sprinkler system may be connected to the house water supply. Size and location of piping and heads must be approved by the Fire Department."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated February 8, 1940; and

WHEREAS, the building is three stories in height, 25 ft. by 84 ft. 6 in. in area; of Class 3 construction; located in a business use C area district; erected in 1928, and occupied: first story, store and dwelling; second story, two families; third story, two families; and

WHEREAS, the applicant contends that the laboratory partitions are fire-retarded with 1/2-inch plaster boards; that not more than two persons are employed in the laboratory; that the order requires the covering of the wood studs of the partitions and the installation of a sprinkler system; that in view of the fact that the lease has only a short time to run and in view of the Class 3 construction of the building and small occupancy, it is requested that the existing conditions be accepted as it would be a hardship at this time for the lessee to be compelled to comply with the order; that the order further requests the covering of the doors to the rooms used for handling photographic film to be metal covered and self-closing; that there are no doors in the partitions separating this room; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 81943-C, Items 1, 2, 4 and 7, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

525-40-A.

APPLICANT—Oxford Filing Supply Company, lessee, for Paulruth Trading Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank D. Jonas.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(525-40-A)

WHEREAS, Oxford Filing Supply Company, lessee, for Paulruth Trading Corporation, owner, filed May 16, 1940, an appeal from an order of the fire commissioner; premises 340-348 Morgan avenue, southeast corner of Orient avenue (Block No. 2911, Lot Nos. 6, 21, 25 and 26), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 83401-LC, dated April 18, 1940, reads:

"3. Provide that spraying or dipping spaces shall be mechanically ventilated when in operation so that the movement of air shall be at least 100 linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. Rule 3.1, Spray Rules.

5. Discontinue the use of open flame (gas heated oven and electric welding) on same floor where celluloid is stored and used. C-19-112. Administrative Code."

and

WHEREAS, the building is one and two stories in height, 100 ft. by 400 ft. in area; of Class 3 construction; equipped with a standpipe and sprinkler system; erected in 1928; located in an unrestricted use district, and occupied: cellar,

boiler-room; first story, manufacturing of filing equipment, 80 persons; second story, office, 30 persons; and

WHEREAS, the applicant contends, as to Objection No. 3, that a process has been recently developed to dip cards so as to apply a coating of liquid cellulose acetate; that this dipping is carried on in a pan 12 in. wide by 18 in. long and 2 1/2 in. deep with a capacity of not over one gallon of lacquer; that the amount of vapor given off is small and is quickly diffused in the large area as shown on plans filed with this appeal; that this operation is on a temporary basis pending the completion of a machine, which when installed will provide the necessary ventilation as required; that in view of this proposed installation of the machine, an extension of four months' time is requested in which to comply with this provision of the order; that as to Objection No. 5, the celluloid cabinet carries a maximum of forty pounds of sheet celluloid and complies with Fire Department requirements; that a gas heating and embossing press and welding booth and metal heat-treating furnace lie from 20 to 40 ft. distant from the celluloid storage cabinet; that the gas-fired units have well guarded flames and the welding booth is surrounded by a fireproof canvas curtain; that to comply with the order would require moving the celluloid cabinet to another floor; that the building is but one story in height, except for the office; that it would be inconvenient to move the cabinet to the second story; that it is proposed to move the cabinet to Section 3 of the building, as shown on plans, but inasmuch as the applicant is engaged in a change over to cellulose acetate, in lieu of the celluloid requirements, it is respectfully requested that an extension of four months' time be granted to discontinue the present celluloid use entirely by the change over to new material; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 83401-LC, as to Item 5, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that sheet celluloid shall be stored in a storage cabinet complying with the requirements therefor and which shall be not nearer than 25 ft. from the arc-welding booth or other open flame; and

WHEREAS, the manufacturing operations of liquid celluloid are now located in another portion of the building, separated from the portion where there are open flames by a fire wall with fireproof, self-closing doors, and the building is sprinklered and adequately provided with exterior windows for natural ventilation.

Resolved, that the order of the fire commissioner, Order No. 83401-LC, as to Item 3, be and it hereby is *dismissed*.

603-40-A.

APPLICANT—Pasquale Falco, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—269 Avenue C, west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving W. Wechsler.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(603-40-A)

WHEREAS, Pasquale Falco, owner, filed June 5, 1940, an appeal from an order and decision of the fire commissioner; premises 269 Avenue C, west side, 22 ft. 9 in. south of East 16th street (Block No. 983, Lot No. 33), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 20812-LC, dated February 2, 1940, reads:

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"Before a permit may be issued for storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system for instance, an approved automatic sprinkler system. Sec. C-19-149.0-C-4, Art. 26, Admin. Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated May 2, 1940; and

WHEREAS, the building is five stories (50 ft.) in height, 23 ft. by 49 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected in 1880, and occupied throughout for the storage of rags; and

WHEREAS, the applicant contends that the building has been occupied as at present for over twelve years and that the Fire Department has never objected to the issuance of a permit; that the building is not equipped with a hoist and therefore not more than 1,000 pounds of rags can be stored on any floor; that the financial condition of the owner does not warrant the expenditure of so much money as would be required to comply with the order.

Resolved, that the order of the fire commissioner, Order No. 20812-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that no unprotected openings shall be constructed between the floors; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct; that not more than 1,000 pounds of rags shall be stored on any floor; that this variance shall continue only so long as the building is maintained substantially as described and to the satisfaction of the fire commissioner.

606-40-A.

APPLICANT—Samuel Hellerman, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frances Hellerman.

For Administration: Thomas A. Larkin, Jr., Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(606-40-A)

WHEREAS, Samuel Hellerman, owner, filed June 6, 1940, an appeal from an order of the fire commissioner; premises 242-248 Greene avenue, south side, 275 ft. east of Grand avenue (Block No. 1966, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4761-LF, dated May 6, 1940, reads:

- "1. Install an approved wet automatic sprinkler system throughout building having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Admin. Code."

and

WHEREAS, the building is four stories (45 ft.) in height, 76 ft. by 100 ft. in area; of Class 3 construction; located in an unrestricted use B area district; erected in 1910, and occupied: cellar, storage of wool clippings; first story, storage and shipping of same, 2 persons; second story, storage, sorting and packing same, 10 persons; third and fourth stories, storage of same, no persons; and

WHEREAS, the applicant contends that the building is used for the storage of woolen sweater waste; that this material is all new, packed in solid bales, and is not easily flammable; that there are four exits on the second story and

two on all other floors; that fire buckets have been provided throughout the building; that at present the business is at a complete standstill and the owner is not financially able to comply with the order.

Resolved, that the order of the fire commissioner, Order No. 4761-LF, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be installed as he shall direct, and *granted* only so long as conditions for the storage of wool clippings only are maintained as described and to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

688-40-A.

APPLICANT—Julius Eckman, for Edward L. Sawyer, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(688-40-A)

WHEREAS, Julius Eckman, for Edward L. Sawyer, owner, filed June 21, 1940, an appeal from an order and a decision of the fire commissioner; premises 371 Pearl street, west side, 23.8 ft. north of Hague street (Block No. 113, Lot No. 28), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 6305-LF, dated December 6, 1939, reads:

- "1. Replace missing shutters at all openings, in the exterior wall which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said opening and which are not more than 50 ft. above a neighboring roof at rear of building, or other approved protection. 491A2.2.0, Adm. Code."

and

WHEREAS, this order was referred to in a subsequent decision of the fire commissioner, dated June 18, 1940, reading:

"In reference to Order 6305-LF, you are advised that the plan on file in the Department of Housing and Buildings, referred to in your letter of May 8, 1940, does not show compliance with the order. An automatic sprinkler system will not affect the order."

and

WHEREAS, the building is of non-fireproof construction, five stories (55 ft. 5 in.) in height, 23.8 ft. by 115.8 ft. in area; located in an unrestricted use district; erected prior to 1894; sprinkler system being installed; occupied: first to fifth stories, inclusive, storage of paper, three persons throughout the building; and

WHEREAS, the applicant contends that this building is being equipped with an approved sprinkler system; that sprinkler heads will be located near the windows affected by the order; that to the south and the west there is a two-story garage owned by the same owners; there is a one-story building to the north used for storage of steel shapes; that in view of the new sprinkler system being installed, it is respectfully requested that this be considered by the Board as an equivalent for the order to install shutters on these windows.

Resolved, that the order of the fire commissioner, Order

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No. 6305-LF, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be installed and maintained to the satisfaction of the fire commissioner; that heads shall be located so that there is one not further removed than 4 ft. from each window affected by this order, and *granted* only so long as the openings in the four-story building adjoining in the rear are protected with steel shutters or fireproof, self-closing windows.

Recessed at 5:15 P.M. to July 19, 1940, at 10 A.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING.

FRIDAY MORNING, JULY 19, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

RULES.

584-39-SR.

SUBJECT—Proposed Rules for the Testing and Use of Blended Cements, adoption of.

APPEARANCES—Ole C. Van Zandt, J. J. Ridway, Philip Mooney, John Bowan, D. S. MacBride, W. W. Ayres and Lloyd W. Weed.

ACTION OF BOARD—Laid over for further consideration and adoption by the Board at a later date.

Adjourned, 10:30 A.M.

JOSEPH J. DOYLE, Chief Clerk.

RECESSED MEETING OF JULY 16, 1940.

RECONVENED JULY 19, 1940, at 10:30 A.M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

BUILDING ZONE CASES.

407-40-BZ.

APPLICANT—King and Lynch, for The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building.

PREMISES AFFECTED—1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Daniel A. Lynch and Alfred A. Lama.

For Opposition: George H. Cohn and Noah Feldman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(407-40-BZ)

WHEREAS, King and Lynch, for The Mortgage Corporation of New York (successor trustee to Frederick L. Cranford), owner, filed April 15, 1940, an application under sections 7a, 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the extension of a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings highway (Block No. 7819, Lot No. 20), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business use district; Kings highway, Overbaugh place and Avenue L are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 175-40, dated March 19, 1940, reads:

“Proposed increase in area of existing gasoline station within a business use district extending same into a residential use district; also erection of accessory building not permitted by zone resolution Art. II, Sec. 3 and Sec. 4a (46).”

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 173 ft. 1 in. and 91 ft. on Kings highway and 100 ft. 8 in. on Flatbush avenue; the easterly portion of the plot extends into the residence use district for a distance of approximately 78 ft. and the remainder of the plot is in a business use district; an irregular shaped area of the plot having a frontage of 47 ft. 7 in. on Flatbush avenue and 100 ft. on Kings highway is used as a gasoline service station; it is proposed to remove the structure now on the site and to erect thereon a one-story building, 78 ft. by 25 ft. in area, to be used as office, lubritorium and auto laundry and to use the entire plot as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution, to permit the rebuilding and extension of the existing gasoline station within the business use area only.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7f thereof, for a term of ten (10) years, to permit the premises under appeal within the business use area to be occupied as a gasoline service station, *on condition* that all existing buildings and uses shall be removed from the premises and the plot shall be leveled substantially to the grade of Kings highway and Flatbush avenue; that the premises shall be arranged substantially as indicated on revised plans marked “Received July 19, 1940, Exhibit A”; that the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood; that the building shall be faced on all sides with face brick and the main roof shall be surfaced with natural slate; that the tower shown may be constructed of wood with copper roof; that the boiler or exterior; that any greasing equipment installed shall be of the ing by fireproof construction and enterable only from the exterior; that any greasing equipment installed shall be of the hydraulic type, except that if grease pits are constructed, a mechanical ventilating system from the pits through the roof shall be provided and the motor-driven fan used therewith shall be of the sparkproof type; that there shall be con-

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structed continuously on the interior lot lines to the east and to the north a brick and wrought-iron or steel fence of a design as indicated on drawing herein referred to; that such fence shall be not less than 6 ft. in height and the masonry portion shall be not less than 3 ft. 6 in. in height, except that at Kings highway and Flatbush avenue the fence may be ramped down within a distance of 7 ft. to a height of 3 ft.; that areas to the rear of the accessory building and along the side lot line toward Flatbush avenue and similarly toward Kings highway shall be landscaped; that curbs not less than 6 in. in height and width shall be constructed and maintained as a protection for such landscaping; that pumps erected shall be of the type as shown and as approved for use on parkways and shall not be located nearer than 15 ft. to either street building line; that there shall be erected at the intersection of Flatbush avenue and Kings highway a block of concrete, which may be triangular in shape, not less than 1 ft. in height, extending for not less than 5 ft. from the intersection along both building lines; that the plot where not covered by accessory pumps and planting shall be cement-paved; that entrances shall be restricted to two to Kings highway, two to Flatbush avenue, not exceeding 25 ft. in width each; that no part of any curb cut shall be nearer than 5 ft. to a side lot line as extended; that during the term of this permit these premises shall be used for no other use than the gasoline service station herein permitted; that there shall be no parking of cars other than those being serviced; that no portable gasoline pumps shall be used on or from the premises; that signs shall be restricted to a permanent sign attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection within the building line of two post standards, where indicated, for supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale, and permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that the plans herein referred to, marked "Exhibit A", are hereby approved as in substantial compliance with the requirements of this resolution except for such specific requirements as are herein set forth; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

465-40-BZ.

APPLICANT—Samuel Gardstein, for Madison Arms, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—118-60 Metropolitan avenue, south side, 180.14 ft. west of Lefferts boulevard (avenue); (Block No. 3322, Lot No. 25), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Gardstein and Noah Benjamin.

For Opposition: B. M. Blumenthal, D. S. Kline, Benjamin Jaffe and B. Garfinkle.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn	4
Negative	0

THE RESOLUTION—

(465-40-BZ)

WHEREAS, Samuel Gardstein, for Madison Arms, Incorporated, owner, filed May 3, 1940, an application under sec-

tion 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 118-60 Metropolitan avenue, south side, 180.14 ft. west of Lefferts boulevard (avenue); (Block No. 3322, Lot No. 25), Kew Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 16, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metropolitan avenue is in a business use district; Lefferts avenue is in a business and residence use district; 118th street is in a residence and business use district; 84th avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 2271-40, dated April 25, 1940, reads:

"Building at the above location is partly in a business and partly in a residence use district under the Building Zone Resolution.

A garage in a multiple dwelling at the above location in a residence district as indicated on plan filed, for more than 3 cars is contrary to Article 2, Section 3, Subdiv. 8 of the Building Zone Resolution."

and

WHEREAS, the proposed building will be of Class 3 construction, with a frontage of 162 ft. and a depth of 239 ft. 6 in., six stories in height; the rear portion of the proposed building extends into the residence use district for a distance of approximately 139 ft. and the remainder is in a business use district; it is proposed to occupy part of the cellar story of the proposed building as a garage for more than five (5) motor vehicles; the garage space to be for the use of tenants only; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution and, also, under section 60 of the Multiple Dwelling Law.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof and under section 60 of the Multiple Dwelling Law, to permit the proposed garage in the proposed multiple dwelling to occupy the space substantially as indicated on revised plans marked "Received July 18, 1940", on condition that in all other respects the building and occupancy shall comply with all the requirements of the zoning resolution, the Multiple Dwelling Law, and all other laws, rules and regulations applicable thereto, and that in further compliance with section 60 of the Multiple Dwelling Law the sprinkler system shall comply with the requirements of the Building Code for a one-source system; that there shall be no openings, as required by section 60 of the Multiple Dwelling Law, into this garage from any other part of the building; that the occupancy of this garage shall be subject to further rules, as may be adopted by the Board under the requirements of section 60 of the Multiple Dwelling Law, to take effect when such rules are adopted; that the ventilating system shall comply with the requirements of the Building Code and shall be of the mechanical type with not less than four (4) changes of air per hour and the exhaust of which shall be carried up above the main roof of the building; that all permits required and all work involved shall be completed within one (1) year from the date of this resolution.

504-27-BZ.

APPLICANT—Colonial Beacon Oil Company, for Patrick Hangle, owner.

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SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Broadway and West 230th street (Block No. 3402, Lot No. 652), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

61-32-BZ.

APPLICANT—Joseph Goldberg, for Joseph P. Day, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—64-70 Neptune avenue, southwest corner of Hoff street (Block No. 7516, Lot No. 2371), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Goldberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

179-37-BZ.

APPLICANT—Maurice G. Uslan, for Louis M. Brann, owner.

SUBJECT—Application reopened June 11, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory use to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board).

PREMISES AFFECTED—461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

94-38-BZ.

APPLICANT—William L. Schrauth, for Jeho Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and rehearing—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Schrauth.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

848-38-BZ.

APPLICANT—J. G. L. Molloy, for Craufombe Estates, Incorporated, owner (Shell Union Oil Corporation, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution as to signs—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: George B. Levy.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

106-40-BZ.

APPLICANT—Colonial Beacon Oil Company, lessee, for Marie Kienzle, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a building to be used as a lubritorium, auto laundry and office on a plot upon which there has existed a gasoline service station.

PREMISES AFFECTED—341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

302-29-BZ.

APPLICANT—Reginald S. Hardy, for John Sklar Holding Company, Incorporated, owner.

SUBJECT—Application for consideration—extension of time to complete work—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting, partly in a residence use district and partly in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles (application reopened July 2, 1940, subject to usual procedure—re amendment of resolution).

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PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4616, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(302-29-BZ)

WHEREAS, this application affecting premises 146-156 East 98th street, northwest corner of Winthrop street (Block No. 4616, Lot No. 38), Borough of Brooklyn, was granted by the Board July 26, 1929, on certain conditions, time extended from time to time, and applicant requests a further extension of time to complete the work; and

WHEREAS, this application was reopened by vote of the Board July 2, 1940.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 26, 1929, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within one (1) year from the date of this amended resolution."

215-32-BZ.

APPLICANT—Louis de Riviere, lessee, for Betty Berk, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence use district the maintenance of an open-air parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. Helfert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(215-32-BZ)

WHEREAS, this application affecting premises 670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn, was granted by the Board July 22, 1932, on certain conditions, resolution amended July 7, 1936, permit extended July 6, 1938, and applicant requests a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 22, 1932, so that as amended the resolution shall read:

"the application be and it hereby is granted, under section 7g, as amended June 28, 1940, to permit the use of these premises for open-air parking for a term of two (2) years from the date of this amended resolution, on condition that the cars parked or stored on the premises shall be of the pleasure-car type only, prohibiting any trucks or taxicabs; that there shall be erected on the building line for the entire length where not occupied by the building a tight fence not less than 10 ft. in height with only one opening for exit and entrance of

cars, said opening to be not over 12 ft. in width and equipped with a tight gate, to be kept closed at all times except when cars are entering or leaving the premises; that there shall be no gasoline stored on the premises other than in tanks of the cars stored thereon; that there shall be no motor vehicle repairing carried on; that all permits required shall be obtained and all work completed within three (3) months from the date of this amended resolution."

328-34-BZ.

APPLICANT—S. Sheldon Meyers, for Max Mirowitz, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Emanuel Berkenfeld.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(328-34-BZ)

WHEREAS, this application affecting premises 1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx, was granted by the Board October 22, 1935, resolution amended May 5, 1936, and July 7, 1936, and time extended July 9, 1937, July 20, 1938, and July 5, 1939, and applicant requests a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 22, 1935, as amended by resolution of July 7, 1936, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved shall be completed within one (1) year from the date of this amended resolution."

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under sections 7b, 7c and 21 of the building zone resolution, permitting, partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: John B. Peterkin.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

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THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(630-38-BZ)

WHEREAS, this application under sections 7b, 7c and 7g of the building zone resolution, to permit, partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles, affecting premises 118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan, was granted by the Board September 27, 1938, resolution amended May 23, 1939, and September 26, 1939, and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on September 27, 1938, as last amended by resolution of September 26, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under sections 7b, 7c and 7g, to permit the construction and use of the building substantially as indicated on plans and proposal filed with this application for use as an air-line bus terminal, air-line bus storage, motion picture theatre having not over 599 seats, and the transient storage of more than five (5) motor vehicles, *on condition* that the building shall be constructed throughout with Class 1 construction; that the building shall be faced with limestone or other natural stone on facades of all streets; that the elevators used for the air-line buses shall be entirely enclosed and separated from the balance of the building with fireproof materials; that the space to be used for the storage of automobiles shall be entirely separated from balance of building with fireproof construction with its own legal fireproof stairways independent of any other occupancy leading directly to the street; that this portion of the building shall be protected with a two-source sprinkler system and a standpipe system and equipped with a system of mechanical ventilation of supply and exhaust in all parts; that the space beyond the building line used in connection therewith shall be subject to proper license and franchise issued by the Borough President or any other city department authorized to issue same; that the approval of the Board of Transportation shall be obtained for the construction and use in connection with adjoining subway; that no storage or gasoline shall be permitted in the premises except in the individual tanks of the automobiles; that only motor vehicles of the pleasure-car type shall be stored; that no servicing or repairing of automobiles whatever shall be conducted on the premises; that the theatre shall be separated from the balance of the building by fireproof construction with its own independent legal exits to Park avenue and East 42nd street; that an additional pent-house story next above the waiting room may be constructed for occupancy as office space in connection with the general uses of the building; that signs shall be restricted against any roof signs and any illuminating signs advertising the theatre or air-line bus use and permitting only such signs as would normally be required for the tenants of the building, except there may be erected on East 41st street a sign advertising the parking use, which may extend beyond the building line for a distance not over two (2) ft. and bearing the word 'Parking' with an arrow pointing to the parking

entrance; that this sign shall not exceed an area of 20 sq. ft.; that the uses as herein permitted shall continue only so long as the main occupancy of the building is for the offices and bus station of the air-line; that the plans marked 'Received May 17, 1939', be and they hereby are *approved* as generally in compliance with the requirements of the resolution adopted by the Board on September 27, 1938; that the building shall be faced with limestone, as shown on plans, except such portions where plans indicate architectural terra cotta, and that the parking and storage of motor vehicles, as permitted under the resolution, shall be omitted, except insofar as it has reference to the parking and storage of the air-line buses; that in the event the owner desires to omit the storage of cars, as hereinbefore permitted, and to substitute the storage of buses used in connection with the air-lines, in Basement A and Basement B, with a ramp from East 41st street, as indicated on revised floor plans marked 'Received September 22, 1939', and to continue the elevator and escalator from such floors to the main floor, such changes may be permitted, on condition that in all other respects the plans approved by the Board on May 23, 1939, shall be complied with; *that in the event the owner desires to use the northeast portion of the first floor and Basement A for restaurant purposes, such restaurant space as indicated on plans marked 'Received July 10, 1940', may be permitted, provided all requirements of all laws, rules and regulations applicable to such use are complied with; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this amended resolution.*"

762-38-BZ.

APPLICANT—Henry Nordheim, for Dorothy Bell Dyer and Isabel Sturges, owners (Gardner Super Service, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block No. 2983, Lot Nos. 7, 11, 15 and 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Rose Gardner and M. Gardner.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(762-38-BZ)

WHEREAS, Henry Nordheim, for Dorothy Bell Dyer and Isabel Sturges, owners (Gardner Super Service, Incorporated, lessee), filed September 1, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block No. 2983, Lot Nos. 7, 11, 15 and 21), Borough of The Bronx; and

WHEREAS, this application was granted by the Board May 23, 1939, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does

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hereby *amend* its resolution of May 23, 1939, only so far as it has reference to the amount of frontage of the plot on which parking is to be permitted, so that as amended this portion of the resolution shall read:

"only in so far as it affects the portion of the plot to the north of the frontage of 300 ft. along Southern boulevard."

411-39-BZ.

APPLICANT—Lama and Proskauer, for Violet Bazerman, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Max Bazerman.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(411-39-BZ)

WHEREAS, Lama and Proskauer, for Violet Bazerman, owner, filed March 31, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board October 17, 1939, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on October 17, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension of the existing gasoline service station and the alteration and reconstruction of the accessory building substantially as indicated on revised plans marked 'Received October 16, 1939', on condition that the accessory building shall be constructed of incombustible materials, except that the roof boarding, roof beams, window frames and sash, door frames and doors may be of wood, provided there are no windows erected or constructed in the lot line walls to the south and west; that the accessory building shall not exceed one story in height and shall be arranged for auto laundry, lubritorium and office as shown on plans; that any skylights erected in the roof shall be not nearer than 10 ft. to the lot line, except for legal ventilation for toilets; that there shall be erected on the interior lot line to the south continuously from accessory building to Ocean parkway a masonry wall agreeing in construction and material with the accessory building, and not less than 6 ft. in height, except that such wall may be not less than 3 ft. 6 in. in height for a distance of 30 ft. from Ocean parkway and faced on both sides with face brick; that the entire plot

where not occupied by accessory buildings shall be cement paved, except for planting areas, as shown, and except for the area 30 ft. from Ocean parkway under the jurisdiction of the Department of Parks; that such 30 ft. area shall be maintained as the park commissioner shall direct, and no driveways for crossing shall be permitted unless specifically permitted by him; that curb cuts shall be restricted to Sheepshead Bay road to one cut not over 50 ft. in width and not nearer than 15 ft. from the westerly building line and to a cut not over 25 ft. in width not nearer than 30 ft. to the building line of Ocean parkway, unless permitted by the Park Department to be not nearer than 10 ft. therefrom; that gasoline pumps erected shall be of the parkway type and shall be not nearer than 12 ft. to the building line of Sheepshead Bay road; that planting shall be maintained along the lot line wall to the south and planted areas shall be protected with concrete curbing; that the doors to the lubritorium may be of wood, provided the greasing equipment is of the hydraulic type; that if greasing pits are installed, the greasing pits shall be ventilated through the roof by means of ducts with motor-driven fan of the sparkproof type; that no parking of cars shall be permitted, except those being serviced, and no repairing of automobiles; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the gasoline pumps, excluding all roof signs and all temporary signs, but permitting the erection within the building line of a post standard or bracketed sign, located toward the westerly end, toward Sheepshead Bay road, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than 4 ft., and permitting the erection within the plot, toward the southerly lot line and not within the 30 ft. area under the jurisdiction of the park commissioner, of a post standard for supporting a sign, advertising only the brand of gasoline on sale, and permitting such sign to be illuminated, provided such sign does not extend over the property line to adjoining premises; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

1203-39-BZ.

APPLICANT—Security Construction Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7c of the building zone resolution, permitting the erection of a business building (stores), extending from a business use district into a residence use district.

PREMISES AFFECTED—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane, and 70-01 57th road (Block No. 2796, part of Lot No. 13, and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Marcel Weiss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(1203-39-BZ)

WHEREAS, Edwin W. Kleinert and A. Stanley Miller, for Security Construction Company, owner, filed September 29, 1939, an application under the building zone resolution, to permit the erection of a business building (stores), extend-

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ing from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane, and 70-01 57th road (Block No. 2797, Lot No. 1, and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens; and

WHEREAS, this application was granted by the Board December 12, 1939, on certain conditions, and the owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the Board on December 12, 1939, as amended by resolution adopted by the Board on March 5, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7, subdivision c thereof, to permit the extension of the proposed building, as indicated on plans filed herein, into the residence use area and to permit use of rear yard in connection therewith, on condition that the building shall extend into the residence use area for a distance of not more than 25 ft.; that the building within the residence use area shall not exceed one story in height; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that there shall be no windows in the side walls opening upon adjoining properties; that no signs shall be erected on any part of the building or premises within the residence use area; that the balance of the plot shall be left open and unbuilt upon and shall be enclosed with a substantial fence with not more than one opening therein to 70th street; that such opening may be not over 10 ft. in width; that the open yard shall be properly surfaced and shall be landscaped substantially as indicated on sketch marked 'Received December 9, 1939'; that this yard shall be used solely for delivery of packaged goods for sale in the proposed building and at no time for parking or storage of motor vehicles or for delivery of goods sold at retail; that no shipping platform shall be constructed; that as a consideration for the granting of this variation, the owner agrees that no automobiles shall be permitted to traverse 57th road (Link place), to enter the rear yard; that this owner will grade and lay temporary pavement in 70th street from 57th road to 57th drive; that he will deed to the City of New York such land as he now owns as may be necessary for the opening of 70th street, as indicated on plan prepared by the Topographical Bureau of the Borough of Queens; that he will deed or lease without charge to the City of New York the balance of Lot No. 13 for use as a park and playground, provided the City accepts such offer within one (1) year; that complete working plans showing building, fencing and planting shall be submitted to the Board for approval prior to filing with the borough superintendent of buildings; that in all other respects all laws, rules and regulations shall be complied with as varied by the Board under Cal. No. 1046 of 1939-A and the resolution adopted thereunder on November 14, 1939, shall be complied with in all respects; that there may be attached to the ornamental supporting fence at the rear of light mesh wire, from rail to rail, provided such wire is attached on the interior side, provided that no permanent certificate of occupancy for the building is issued until after the requirements as herein set forth are complied with, and, further, that evidence is submitted to the borough superintendent of buildings that a deed has been delivered to the City for the space to be occupied for street purposes and that a deed under the provision stated in this resolution for space hereinbefore referred to has been offered to the Park Department for playground purposes; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

1318-39-BZ.

APPLICANT—Matthew W. Del Gaudio, for Anna Palermo, Anna Shields and Laura L. Dudley, owners.

SUBJECT—Application for consideration—approval of plans—re Application (decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1 to 3, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph P. Cosenza.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(1318-39-BZ)

WHEREAS, Matthew W. Del Gaudio, for Anna Palermo, Anna Shields and Laura L. Dudley, owners, filed October 25, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station; premises 8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1, 2 and 3), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board February 27, 1940, on certain conditions, one of which required submission of working drawings for approval by the Board, and the applicant requested approval of such plans.

Resolved, that the Board of Standards and Appeals does hereby approve plans as submitted June 26, 1940, as complying with the resolution adopted by the Board on February 27, 1940, and to permit the curb cuts as shown, namely, two, each 20 ft. in width, on 90th street, and two on Fourth avenue, one toward the south, 24 ft. in width, and one toward the north, 24 ft. 6 in. in width, on condition that in all other respects the requirements of the resolution and these plans shall be complied with, and that the windows in the accessory building opening from store are made fireproof, self-closing and glazed with wire glass.

1392-39-BZ.

APPLICANT—Herman Kron, for 870 Eighth Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting, partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the transient parking of more than five (5) motor vehicles, the Board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105 and 106), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

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THE RESOLUTION—

(1392-39-BZ)

WHEREAS, this application under section 7h of the building zone resolution, to permit, partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, the Board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan, was granted by the Board February 14, 1940, on certain conditions, and the owner requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 14, 1940, only so far as it has reference to obtaining permits and completion of the work, so that as amended that portion of the resolution shall read:

"that all permits shall be obtained and all work shall be completed within three (3) months from the date of this *amended resolution*."

1545-39-BZ.

APPLICANT—Lama and Proskauer, for Mamie Tusa, owner.

SUBJECT—Application for consideration — reopening, amendment and approval of plans—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(1545-39-BZ)

WHEREAS, this application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 2063-2079 Stillwell avenue and 2602-2618 86th street, southeast corner (Block No. 7092, Lot No. 60), Borough of Brooklyn, was granted by the Board March 14, 1940, on certain conditions, one of which required submission of a plan for further consideration by the Board, and the applicant requested approval of such plan.

Resolved, that the Board of Standards and Appeals does hereby *approve plan* marked "Received July 9, 1940", as being in substantial compliance with the requirements of the resolution adopted by the Board on March 14, 1940, *on condition* that in addition to constructing a curb at the intersection of 86th street and Stillwell avenue and constructing the curb cuts as shown thereon, and locating the pumps as indicated not less than 10 ft. from the street building line; that there shall be a triangular block of concrete constructed at the intersection of not less than 1 ft. in height and not less than 5 ft. from the intersection along each street line.

APPEALS FROM ADMINISTRATIVE DECISIONS.

1517-39-A.

APPLICANT—Meyer Strauss, for Estate of Martha W. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. Strauss.

For Administration: Inspector Meyer, Fire Department, and Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., to allow applicant to confer with Building Department.

618-40-A.

APPLICANT—Alfred T. Long, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred T. Long.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

648-40-A.

APPLICANT—Martin Tori, for Interstate Storage Warehouse, Incorporated, owner (M. P. Santini, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sophie Springer.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., on request of applicant's representative.

704-40-A.

APPLICANT—Joseph H. Cornell, for Manufacturers Trust Company, owner (Brooklyn Jewish Home for Convalescents, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell, Abraham Berre and Hattie R. Posner.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board and for inspection and report by Building Department.

737-40-A.

APPLICANT—Jack Z. Cohen, for 794 Columbus Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer and Leo Kaiser.

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For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

750-40-A.

APPLICANT—Boris W. Dorfman, for Home Owners' Loan Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue S (Block No. 7088, Lot No. 87), Borough of Brooklyn.

APPEARANCES—

For Applicant: Boris W. Dorfman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

783-40-A.

APPLICANT—Milton B. Weissman, for Bella W. Rosenbaum, owner (Mallay Nursery School, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton B. Weissman and Helena Mallay.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

784-40-A.

APPLICANT—Ampion Corporation, lessee, for Quimby Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Mack L. Kane.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

794-40-A.

APPLICANT—Jack Z. Cohen, for Lea Shiffman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: Morris Hannes, Department of Housing and Buildings, and Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M., for inspection by a committee of the Board.

1239-39-A.

APPLICANT—George G. Miller, for Dread Construction Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 35, General City Law—re Bed of Mapped Street).

PREMISES AFFECTED—605 West 239th street, northeast corner of Blackstone avenue (Block No. 3417, Lot Nos. 152 and 155), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

397-40-A.

APPLICANT—Margherita Boccia, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2222 Homecrest avenue, west side, 180 ft. south of Avenue V (Block No. 7372A, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph Boccia.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

564-40-A.

APPLICANT—Eclipse Sleep Products, Incorporated, Division of United States Cabinet Bed Company, owner.

SUBJECT—Appeal from decisions—re an order of the fire commissioner.

PREMISES AFFECTED—2-42 Milford street, southwest corner of Atlantic avenue, and 13-27 Montauk avenue (Block No. 3976, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Rogett.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

769-40-A.

APPLICANT—F. Hale Atkinson, for Samuel Brown, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—300-304 First street, southwest corner of Fifth avenue (rear building); (Block No. 969, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Cowen.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

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791-40-A.

APPLICANT—Major Petroleum Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner—re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing tank trucks), in New York City.

APPEARANCES—

For Applicant: William Schatz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

696-40-A.

APPLICANT—S. Millman and Son, for Sam Rodgveller, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—441 New Lots avenue, north side, 25 ft. 4 $\frac{5}{8}$ in. east of Vermont street (Block No. 3842, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(696-40-A)

WHEREAS, S. Millman and Son, for Sam Rodgveller, owner, filed June 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 441 New Lots avenue, north side, 25 ft. 4 $\frac{5}{8}$ in. east of Vermont street (Block No. 3842, Lot No. 31), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1032-40, dated June 19, 1940, reads:

"1. Combining a converted Dwelling with a non-tenement is contrary to Sec. 172 a, S.D. 2.

2. Fire retard all portions of new Lunchroom—Sec. 61 Dept. Rule 13 to 26 for M.D.

Const.

1. Lunch room (Rest.) should indicate size and area so that the number of persons accommodated can be figured based on 10 sq. ft. per person. 6.1.2.3.

2. Indicate size of doors for secondary means of egress—6.9.1.

3. Indicate direction and size of beams—7.1.4 and comply with 7.3.2.2.5 for 100 sq. ft. L.L.

4. Opening in party wall should have automatic doors self-closing having at least 3 hr. rating, 10.8.11.

Plumbing.

2. Adequate W.C. facilities based on number of employees and persons should be provided. 14.2.5."

and

WHEREAS, the building is one and three stories (34 ft.) in. height, 20 ft. by 80 ft. in area; of Class 3 construction; located in a business use district; erected in 1922, and occupied: cellar, ordinary use; first story, store, lunch room and ice cream parlor; first story, dwelling, one family; second story, dwelling, one family; and

WHEREAS, the applicant contends that, as to Objection No. 1, Multiple Dwelling Law, the objection applies only to a small portion of the store floor; that as to Objection No. 2, Multiple Dwelling Law, the objection is met in view of the fact that a portion of the store extending into 444

New Lots avenue complies with the Multiple Dwelling Law; that as to Objection No. 1, construction, that not more than twenty-five persons will occupy the new portion of the lunch room; that as to Objection Nos. 2 and 3, construction, relating to the size of doors and construction and size of beams, that it is requested that these objections be waived for the reason that the present openings and beams are sufficient for the requirements as not more than twenty-five persons will occupy the proposed lunch room extension; that as to Objection No. 4, construction, relating to fire retarding, it is requested the objection be waived as no combustible material is stored on the premises; that the area is only slightly enlarged and that rear exits have been provided which eliminated the necessity for self-closing doors; that as to Objection No. 2, plumbing, a portion of the store extending into No. 444 New Lots avenue is provided with an additional water closet; that this application is made so as to have additional space for the lunch room as the store at 444 New Lots avenue is not of sufficient depth to obtain a tenant therefor; and

WHEREAS, the Board deemed that it was without power to permit the proposed combining of a two-family dwelling with a multiple dwelling, contrary to the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is withdrawn, to comply.

697-40-A.

APPLICANT—S. Millman and Son, for Sam Rodgveller, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—445 New Lots avenue, north side, 45 ft. 5 $\frac{1}{4}$ in. east of Vermont street (Block No. 3842, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(697-40-A)

WHEREAS, S. Millman and Son, for Sam Rodgveller, owner, filed June 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 445 New Lots avenue, north side, 45 ft. 5 $\frac{1}{4}$ in. east of Vermont street (Block No. 3842, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1031-40, dated June 19, 1940, reads:

"1. Combining a converted Dwelling with a non-tenement is contrary to Sec. 172 a—S.D.Z.

2. Fire retard all portions of new lunch room—Sec. 61. Dept. Rule 13 to 26 for M.D.

Const.

1. Lunch room (Rest.) should indicate size or area so that the number of persons accommodated can be figured based on 10 sq. ft. per person. 6.1.2.3.

2. Indicate size of doors for secondary means of egress, 6.9.1.

3. Indicate direction and size of beams, 7.1.4 and comply with 7.3.2.2.5 for 100 sq. ft. L.L.

4. Opening in party wall should have automatic doors—self-closing having at least 3 hr. rating 10.8.11.

Plumbing.

2. Adequate W.C. facilities, based on number of employees and persons should be provided—14.2.5."

and

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WHEREAS, the building is three stories (34 ft.) in height, 20 ft. 1 $\frac{1}{8}$ in. by 60 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1927, and occupied: cellar, storage; first story, store; second story, one family; third story, one family; proposed to be occupied: cellar, storage; first story, store and restaurant in the rear connecting with 441 New Lots avenue; second story, one family; third story, one family; and

WHEREAS, the applicant contends, as to Objection No. 1, Multiple Dwelling Law, that a small portion of the store is involved; that as to Objection No. 2, the portion of the store being used as an extension in adjoining premises complies with the Multiple Dwelling Law throughout; that as to Objection No. 1, construction, not more than twenty-five persons will occupy the proposed extension of the adjoining store; that as to Objection Nos. 2 and 3, construction, relating to the size of doors and direction and size of beams, that these objections be waived as present door openings and beams are sufficient to take care of the small number of occupants; that as to Objection No. 2, plumbing, the addition of the store to be used in connection with the adjoining store provides an additional water closet, and that a water closet will be provided for the portion of the store remaining; and

WHEREAS, the Board deemed that it was without power to permit the proposed combining of a two-family dwelling with a multiple dwelling, contrary to the Multiple Dwelling Law.

Resolved, that the appeal be and it hereby is *withdrawn*, to comply.

78-40-A.

APPLICANT—Brooklyn Waste Company, lessee, for Dora Janovsky and Alice Dworkin, owners.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—46-48 Fulton street, south side, 147.4 ft. west of Hicks street (Block No. 202, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(78-40-A)

WHEREAS, Brooklyn Waste Company, lessee, for Dora Janovsky and Alice Dworkin, owners, filed January 22, 1940, an appeal from an order of the fire commissioner; premises 46-48 Fulton street, south side, 147.4 ft. west of Hicks street (Block No. 202, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in the subject case within the required time although duly notified to do so; and

WHEREAS, at the public hearing there was no appearance made on behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

1535-39-A.

APPLICANT—Samuel Gardstein, for David Forman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1535-39-A)

WHEREAS, Samuel Gardstein, for David Forman, owner, filed December 26, 1939, an appeal from a decision of the borough superintendent of buildings; premises 95-17 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Killarney street and Shore boulevard (Block No. 2411, Lot No. 1), Howard Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Application No. 7817-38, dated November 28, 1939, reads:

"Request for reinstatement of permit that was revoked has this day been denied by Superintendent."

and

WHEREAS, the premises consist of a plot 200 ft. by approximately 86.3 ft. in area; it is proposed to erect upon the plot a one-story building, 13 ft. in height, 135 ft. by 24 ft. in area, of Class 3 construction, to be located in a residence use F area district, and to be occupied as a gasoline service station, office and motor vehicle repair shop, lubricatorium and lunch room; and

WHEREAS, the applicant contends that New Building Permit No. 7817 of 1938 was issued November 16, 1938, for the erection of a gasoline service station and accessory building after the approval of plans on November 4, 1938; that on November 28, 1938, the use district was changed from undetermined use to residence use; that the borough superintendent of buildings revoked New Building Permit No. 7817-38 on June 27, 1939; that a request subsequently made to revive this permit was denied; that this appeal is taken from such denial; that New Building Permit No. 7817-38 was legally issued and that a substantial start was made on the work prior to the change of zoning as indicated by the Fire Department record of inspection of tanks, tank bases and enclosures on November 16, 1938; that work beyond the tank installation was prevented by circumstances beyond the control of the owner and by virtue of conditions created by the city, in that the legal street grades had not been established due to the construction of the proposed parkway in the vicinity; that under the decision in the matter of Fox Lane Corporation vs. Mann, the owner has acquired a vested right; that in the Kaltenbach case it was held that the gasoline tanks, pumps and accessory buildings constitute one structural unit; that since the original permit was legally issued and a substantial part of the work was done prior to the change of zone, the revocation of the permit by the borough superintendent of buildings was in error and the permit should be reinstated; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, the actual records of the Department of Housing and Buildings and of the Fire Department were checked and reviewed by the Board to verify statements made; and

WHEREAS, a report of a committee of the Board was read at the hearing, which report follows:

REPORT OF COMMITTEE.

July 16, 1940.

Re: 1535-A, 1536-A, 1537-A and 1538-A of 1939.

The question presented in each of these four appeals is the same, namely, the reinstatement of a permit revoked by the borough superintendent of the Department of Housing and Buildings.

Plans were filed with the borough superintendent of

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buildings for gasoline stations and accessory uses and approved on November 4, 1938. Thereafter on November 16 and 17, upon exhibiting Workman's Compensation insurance policy, permits were issued. Certain work was done prior to the issuance of these permits, including excavations and foundations for gasoline storage tanks, as well as the setting of the tanks themselves, which upon request were inspected and tested by the Fire Department on November 14, 1938. This work was done prior to the issuance of the permits and without notice to the borough superintendent of buildings.

After the issuance of the permits by the borough superintendent of buildings, he was not called upon to inspect any work done thereunder. On November 28, 1938, a change of zoning by the Board of Estimate became effective. The proposed zoning change had been under consideration by the Planning Commission and was approved by it after the required hearings on October 26, 1938. The zone was changed from undetermined and unrestricted use to residence use. In a residence use district a gasoline station is a prohibited use. The borough superintendent of buildings, in view of the change of zone and in view of no work having been done after the issuance of the required permits, revoked them on June 27, 1939. The Fire Department notified the Department of Housing and Buildings on June 16, 1939, that the inspection of tanks was made by its inspectors on November 14 and 16, 1938, and that as of May 24, 1939, the tanks were empty and sealed. Of the four tanks proposed for each location, two only in each location were placed.

The practice is for the Fire Department to inspect and test a container for a combustible mixture after the application for the container, or tank as commonly called, is filed with the borough superintendent of the Department of Housing and Buildings and after plans thereunder are approved and a permit issued.

The issuance of a permit is most essential. Without it no work can be legally done. The requirements as to issuance of a permit are set forth in section C26-161-189 of the Administrative Code. In addition, the permit form requires sworn statements that the plans as approved will comply with all laws and rules applicable, including the Workman's Compensation Law, which requires evidence that proper insurance is in force to cover the type of work to be done prior to commencement thereof.

The facts indicate that although plans were approved and permits issued prior to the change of zone, work was commenced as to the partial tank installation involving excavation and concrete work prior to the issuance of the permits and which afforded no opportunity to the inspector of the Department of Housing and Buildings to pass on the installation as to such parts as were within his jurisdiction. After the permits were issued, no work whatever was done and thereafter on June 27, 1939, the borough superintendent of buildings properly revoked the permits. No request for reinstatement of the permits was made until November 13, 1939, and upon refusal of the borough superintendent of buildings on November 28, 1939, to restore the permits, appeals now under consideration were filed with this Board.

In the opinion of the committee, the action of the borough superintendent of buildings appealed from was properly taken and should be sustained. At most, if failure strictly to comply with the requirements is overlooked, no work other than that actually installed prior to the change of zone could be legalized and the filing of plans showing the intent to construct gasoline service stations and other uses now prohibited by the zoning could be offered only as a possible basis of hardship

upon the presentation of an application to this Board for a zoning variance.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
JOHN E. GUNN,
Committee.

and
WHEREAS, this report recommends the denial of this appeal.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 7817-38, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1536-39-A.

APPLICANT—Samuel Gardstein, for Charles Berk, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1536-39-A)

WHEREAS, Samuel Gardstein, for Charles Berk, owner, filed December 26, 1939, an appeal from a decision of the borough superintendent of buildings; premises 95-41 155th avenue, north side, entire block bounded by 155th avenue, Lahn street, Huron street and Shore boulevard (Block No. 2413, Lot No. 1), Howard Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 7818-38, dated November 28, 1939, reads:

"Request for reinstatement of permit that was revoked has this day been denied by the supt."

and

WHEREAS, the premises consist of a plot 200 ft. by approximately 150 ft. in area; it is proposed to erect upon the plot a one-story building, 13 ft. in height, 135 ft. by 24 ft. in area, of Class 3 construction, to be located in a residence use F area district, and to be occupied as a gasoline service station, office, motor vehicle repair shop and lubritorium and lunch room; and

WHEREAS, the applicant contends that New Building Permit No. 7818-38 was issued November 16, 1938, after the approval of plans November 4, 1938; that on November 28, 1938, the use district was changed from undetermined to residence use; that on June 27, 1939, the borough superintendent of buildings revoked the building permit on the grounds that the zone had been changed and that no substantial start had been made under permit; that a request was subsequently made to reinstate the permit and this appeal is taken from the decision on said application; that the new building permit was legally issued; that the statement of the borough superintendent of buildings that no substantial start had been made was in error; that the Fire Department records indicate that the gasoline tank, bases and enclosures had been inspected on November 16, 1938; that further work beyond the tank installation was prevented

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by circumstances beyond the control of the owner by virtue of the conditions created by the city in that the legal street grades had not been established due to the construction of the proposed parkway in the vicinity; that under the decision rendered by the courts in the matter of Fox Lane Corporation vs. Mann, the owner has acquired a vested right, and this claim is strengthened by the decision in the Kaltenbach case, which held that tanks, pumps and accessory buildings constitute one structural unit; that since the original permit was legally issued and a substantial part of the work was done, the revocation of the borough superintendent of buildings was in error and the permit should be reinstated; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, the actual records of the Department of Housing and Buildings and of the Fire Department were checked and reviewed by the Board to verify statements made; and

WHEREAS, a report of a committee of the Board was read at the hearing, which report appears under Cal. No. 1535-39-A; and

WHEREAS, this report recommends the denial of this appeal.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 7818-38, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1537-39-A.

APPLICANT—Samuel Gardstein, for Morton Pickman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—155-04 Killarney street, southwest corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1537-39-A)

WHEREAS, Samuel Gardstein, for Morton Pickman, owner, filed December 26, 1939, an appeal from a decision of the borough superintendent of buildings; premises 155-04 Killarney street, southwest corner of 155th avenue (Block No. 2409, Lot No. 1), Howard Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 7820-1938, dated November 28, 1939, reads:

"Request for reinstatement of permit that was revoked has this day been denied by the Superintendent."

and
WHEREAS, the premises consist of a plot 139 ft. 11 $\frac{1}{8}$ in. by approximately 174 ft. in area; located in a residence use F area district; it is proposed to erect upon the plot a one-story building, 13 ft. in height and 24 ft. by 135 ft. in area, of Class 3 construction, to be occupied as a gasoline service station, office, motor vehicle repair shop, lubritorium and lunch room; and

WHEREAS, the applicant contends that New Building Permit No. 7820-38 was issued November 16, 1938, for the erection of a gasoline service station and accessory building after the approval of plans November 4, 1938; that on November 28, 1938, the area was rezoned from undetermined to residence use, and on June 27, 1939, the borough superintendent revoked the permit on the grounds that the zone

had been changed and that no substantial start had been made; that an application was subsequently made to reinstate the permit; that an appeal is now taken from the denial of this request; that New Building Permit No. 7820-38 was legally issued; that the statement of the borough superintendent of buildings that no substantial start had been made is in error; that Fire Department records indicate that the tanks, bases and enclosures were inspected November 16, 1938; that further work beyond the tank enclosures was prevented by circumstances beyond the control of the owner in that the legal street grades had not been established due to the construction of the proposed parkway in the vicinity; that under the decision in the matter of Fox Lane Corporation vs. Mann, the owner has acquired a vested right, and this claim is strengthened by the decision of the Kaltenbach case, which held that tanks, pumps and accessory buildings constitute one structural unit, and that since the original permit was legally issued and a substantial part of the work was done, the revocation by the borough superintendent of buildings was in error and the permit should be reinstated; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, the actual records of the Department of Housing and Buildings and of the Fire Department were checked and reviewed by the Board to verify statements made; and

WHEREAS, a report of a committee of the Board was read at the hearing, which report appears under Cal. No. 1535-39-A; and

WHEREAS, this report recommends the denial of this appeal.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 7820-38, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1538-39-A.

APPLICANT—Samuel Gardstein, for Sam Berley, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(1538-39-A)

WHEREAS, Samuel Gardstein, for Sam Berley, owner, filed December 26, 1939, an appeal from a decision of the borough superintendent of buildings; premises 99-03 North Conduit avenue, northeast corner of Huron street (Albert road); (Block No. 2418, Lot No. 1), Howard Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 7819-38, dated November 28, 1939, reads:

"1. Request for reinstatement of permit that was revoked has this day been denied by the superintendent."

and
WHEREAS, the premises consist of a plot 126.4 ft. by 150 ft. (average) in area; located in a residence use F area district; it is proposed to erect upon the plot a one-story building, 13 ft. in height and 135 ft. by 24 ft. in area; of Class 3 construction; to be occupied as a gasoline service station,

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office, motor vehicle repair shop, lubritorium and lunch room; and

WHEREAS, the applicant contends that New Building Application No. 7819-38 was issued November 16, 1938, for the erection of a gasoline service station and accessory building after the approval of plans on November 4, 1938; that on November 28, 1938, the use district was changed from unrestricted to residence use, and on June 27, 1939, the borough superintendent of buildings revoked the permit on the grounds that the zone had been changed and no substantial start had been made; that a request was subsequently made to reinstate the permit; that this appeal is now being taken from the denial of this request; that New Building Permit No. 7819-38 was legally issued; that the statement of the borough superintendent of buildings that no substantial start had been made was in error; that the Fire Department records indicate gasoline tanks, bases and enclosures had been inspected on November 16, 1938; that further work beyond the tank enclosures was prevented by circumstances beyond the control of the owner and by virtue of the conditions created by the city in that legal grades had not been established due to the construction of the proposed parkway in the vicinity; that in the decision in the matter of Fox Lane Corporation vs. Mann, the owner has acquired a vested right, and this claim is substantiated by the decision in the Kaltenbach case, where it was held that tanks, pumps and accessory buildings constitute one structural unit; that the permit was legally issued, the revocation in error, and said permit should be reinstated; and

WHEREAS, the premises were inspected by a committee of the Board; and

WHEREAS, the actual records of the Department of Housing and Buildings and of the Fire Department were checked and reviewed by the Board to verify statements made; and

WHEREAS, a report of a committee of the Board was read at the hearing, which report appears under Cal. No. 1535-39-A; and

WHEREAS, this report recommends the denial of this appeal.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 7819-38, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

110-40-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—1200 Castleton avenue, south side, 105 ft. west of Roe street (Block No. 211, Lot No. 39), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Charles E. Arthurs.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(110-40-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, owner, filed January 25, 1940, an appeal from an order of the fire commissioner; premises 1200 Castleton avenue, south side, 105 ft. west of Roe street (Block No. 211, Lot No. 39), West New Brighton, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, Order No. 5039-LF, dated June 22, 1939, reads:

“Install an approved automatic wet sprinkler system in cellar.”
and

WHEREAS, said order was referred to in a decision of the fire commissioner dated December 21, 1939; and

WHEREAS, the building is one story (17 ft.) in height, 42 ft. 10 in. by 111 ft. in area; of non-fireproof construction; located in a business and residence use C area district; erected in 1927, and occupied: cellar, stock room, 1 person; first story, store, 2 persons; and

WHEREAS, the applicant contends that there is a fireproof stairway from basement to the rear of first story and access to the basement from the rear yard; that the basement is ventilated by the openings in the show window bulkhead; that the room used for the storage of baled paper is of fireproof construction; that the boiler-room is entirely fireproof; that the merchandise carried in this basement is common to the five-and-ten-cent-store type of occupancy; that the amount of celluloid merchandise stored in this basement is approximately .7 of 1 per cent. of the entire stock; that all aisles are 3 ft. wide and wider and are kept clear; that the ceilings are fire retarded.

Resolved, that the order of the fire commissioner, Order No. 5039-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building, and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk; that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

496-40-A.

APPLICANT—Charles Salamone, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—9 Doyers street, west side, 1,615.75 ft. north of Chatham square (Block No. 162, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Leopold Klinger and Charles Salamone.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(496-40-A)

WHEREAS, Charles Salamone, owner, filed May 9, 1940, an appeal from an order of the fire commissioner; premises 9 Doyers street, west side, 1,615.75 ft. north of Chatham square (Block No. 162, Lot No. 30), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 7682-LF, dated April 1, 1940, reads:

“Provide an automatic thermostatic fire alarm system with a connection to a Central Office in connection with non-automatic sprinkler system in cellar and sub-cellar.”

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated April 26, 1940; and

WHEREAS, the building is four stories in height, 20 ft. by 44 ft. in area; of Class 3 construction; located in an unre-

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stricted use A area district; erected about 1875, and now unoccupied; it is proposed to be altered into a multiple dwelling; and

WHEREAS, the applicant contends that the present owner took title in February of 1940, at which time there were no violations against the property; that plans have been filed for the alteration of the building into a modern apartment house; that the plans have not been acted upon by the Building Department; that the cellar or sub-cellar will not be used for any purpose and will be kept vacant; that the requirement for the extension of a fire alarm system would be a waste of money and a hardship on the owner; that it is requested that the order be vacated on condition that the cellar and sub-cellar remain vacant.

Resolved, that the order of the fire commissioner, Order No. 7682-LF, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the non-automatic sprinkler system in cellar and sub-cellar shall be maintained, and granted so long as cellar and sub-cellar shall remain vacant, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

547-40-A.

APPLICANT—S. Millman and Son, for 233 South Third Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—233 South 3rd street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(547-40-A)

WHEREAS, S. Millman and Son, for 233 South Third Street Corporation, owner, filed May 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 233 South 3rd street, north side, 18 ft. 4 in. west of Havemeyer street (Block No. 2400, Lot No. 32), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 752-40, dated May 20, 1940, reads:

"1. As building is 4 stories, 46 ft. in height, proposed change of use of 2nd floor from store to synagogue is contrary to Sec. 2.1.3.5 and Sec. 4.2.1 of Code, as building is of Class 3 construction.

2. Means of ventilation required by Sec. 5.1.9 not provided.

3. Two required means of egress from 2nd floor not provided—Sec. 6.1.2.2.3.

4. Width of stairs to be at least 3 ft. 8 in.—Sec. 6.4.1.1.

5. Stairs to be constructed of incombustible material—Sec. 6.4.1.7.

6. Stairs to extend to roof—Sec. 6.4.1.11.

7. Stairs to be enclosed in partitions or walls having a fire-resistive rating of 2 hrs. Sec. 6.4.1.8.1.

8. Show window and door to store in stair enclosure are prohibited by Sec. 6.4.1.8.2.

9. Adequate toilet facilities not provided—Sec. 14.8.4."

and

WHEREAS, the building is four stories (46 ft.) in height, 20 ft. 4 in. by 76 ft. 5 in. in area at first story level and 20 ft. 4 in. by 70 ft. at typical floor level; of Class 3 construction; located in a business use district; date of erection un-

known, and occupied as follows: cellar, bake shop; first story, store; second story, synagogue; third story, one family; fourth story, one family; it is proposed to be occupied: cellar, storage; first story, store and bake shop, 11 persons; second story, synagogue, 50 persons; third story, one family; fourth story, one family; and

WHEREAS, the applicant contends that the building was altered under Permit No. 7854 in 1911 to provide for use of the second story as a store; that the second story has been occupied as a synagogue since 1916; that it is now proposed to erect a bakery oven in the rear of the first story in lieu of the present location which proved to be unsanitary; that a regulation fire escape is provided at the front of the building; that a 3 ft. 6 in. wide stairway is installed; that the window sills of the second story are only 5 ft. above the roof of the rear one-story fireproof extension; that the stairways extend to the roof by means of an iron stationary ladder and scuttle; that the present show window and door to store are located only 6 ft. inside the building line; that two toilets will be provided on each floor and are deemed ample for the number of occupants; and

WHEREAS, these premises were inspected by a committee of the Board, and the committee recommends that the appeal should not be granted as the building and space are inadequate for this type of occupancy, public assembly.

Resolved, that the decision of the borough superintendent of buildings, as to Alt. Application No. 752-40, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

596-40-A.

APPLICANT—Roy Clinton Morris, for B. Manuel Boccini, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—988 Second avenue, east side, 40 ft. north of East 52nd street (Block No. 1345, Lot No. 2½), Borough of Manhattan.

APPEARANCES—

For Applicant: Roy Clinton Morris.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(596-40-A)

WHEREAS, Roy Clinton Morris, for B. Manuel Boccini, owner, filed June 3, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 988 Second avenue, east side, 40 ft. north of East 52nd street (Block No. 1345, Lot No. 2½), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings, on Alt. Applic. No. 951-38, dated May 2, 1940, reads:

"8. Stair must be enclosed in fire-retarded enclosure thru business portion of building as per reconsideration of original objection 1. Reconsideration denied."

and

WHEREAS, the building is four stories (42 ft.) in height and 20 ft. by 50 ft. in area; of Class 3 construction; located in a business use B area district; erected about 1890, and occupied: cellar, boiler-room; first story, store; second, third and fourth stories, one apartment per floor; it is proposed to be occupied: cellar, boiler-room; first story, shop; second story, reception rooms; third and fourth stories, one family dwelling combined; and

WHEREAS, the applicant contends that it is proposed to convert the existing four-story old law tenement to a business building; that the owner will occupy the entire building, using the two upper stories for a studio and private art

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gallery and the first two floors for business purposes for the sale of artificial hair; that the stairs in question are ornamental and constructed of iron with marble treads; that an approved fire escape is installed in the rear of the building leading to the rear yard; that it is requested that the stairway be permitted to continue through the business portion of the building without a fire-retarded enclosure.

Resolved, that the decision of the acting borough superintendent of buildings, acting on Alt. Application No. 951-38, Objection No. 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, only so long as the building is occupied as proposed, *on condition* that there shall be installed in the soffit of the proposed wide opening from entrance hall to store two sprinkler heads spaced approximately 5 ft. apart and which may be connected to the domestic water supply of the building; that a scuttle or skylight in the roof over the stairway shall be maintained; that the fire escape in the rear providing a second means of exit for all floors shall be maintained with an exit in the yard fence to adjoining yard; that permission for such exit to adjoining property shall be obtained and filed with the borough superintendent of buildings; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

643-40-A.

APPLICANT—Davega-City Radio, Incorporated, lessee, for F. G. H. Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 [1167], Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Weiss and Nathan Telberbaum.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(643-40-A)

WHEREAS, Davega-City Radio, Incorporated, lessee, for F. G. H. Realty Corporation, owner, filed June 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 [1167], Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4538-LF, dated March 28, 1940, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code C-19-161.0 Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated May 21, 1940; and

WHEREAS, the building is two stories (25 ft.) in height, 49.39 ft. by 197 ft. in area; of Class 3 construction; located in a business and unrestricted use C area district; erected in 1920, and occupied: cellar, storage, 4 persons; first story, salesroom for radios, refrigerators, sporting goods and rest room, 227 persons; and

WHEREAS, the applicant contends that the basement is used for storage in connection with the stores on the first story; that during the last twenty years the basement has passed all inspection and that the applicant cannot understand the sudden demand for such extreme safety measures,

when the purpose for which the basement is being used presents no greater danger than heretofore; that there are more hazardous uses in the neighborhood which are not required to install a sprinkler system.

Resolved, that the order of the fire commissioner, Order No. 4538-LF, be and it hereby is *modified* and the appeal, as to Item 1, be and it hereby is *granted on condition* that there shall be installed throughout the cellar, for a distance of approximately 50 ft. from Jamaica avenue to the fire walls separating the cellar in the rear, a non-automatic sprinkler system complying with the requirements of the Building Code therefor, except that street water connection may be omitted and except that the hose inlet may be of the single inlet type located not less than 12 in. above the sidewalk; that all fittings and hangers shall be of malleable iron; that the cap of the hose inlet and the sign stating the area covered shall be painted aluminum, and that in all other respects same shall comply with all laws, rules and regulations applicable thereto.

653-40-A.

APPLICANT—Arthur F. Winter, for 236 Corporation, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—103-17 Metropolitan avenue, north side, 160 ft. west of Roman avenue (Block No. 2050, Lot No. 45), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(653-40-A)

WHEREAS, Arthur F. Winter, for 236 Corporation, owner (F. W. Woolworth Company, lessee), filed June 17, 1940, an appeal from an order and a decision of the fire commissioner; premises 103-17 Metropolitan avenue, north side, 160 ft. west of Roman avenue (Block No. 2050, Lot No. 45), Forest Hills, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4239-LF, dated February 29, 1940, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, this order was referred to in a decision of the fire commissioner dated May 7, 1940; and

WHEREAS, the building is two stories (22 ft.) in height, 40 ft. by 100 ft. in area; of Class 3 construction; located in a business use D area district erected in 1928, and occupied: cellar, storage and boiler-room, 2 persons; first story, store, 300 persons; second story, apartments, office and girls' room, 15 persons and one family; and

WHEREAS, the applicant contends there are two fireproof enclosed stairways leading from the basement to the first story, enclosed in 4 in. terra cotta and equipped with self-closing doors, and a sidewalk freight elevator; that the basement is ventilated by openings in the bulkheads of the show windows; that the stock room used for receiving merchandise is of fireproof construction; that the boiler-room is enclosed in 6 in. terra cotta partitions equipped with self-closing doors; that the merchandise carried in the basement is common to the five-and-ten-cent-store occupancy, with approximately .7 of 1 per cent. celluloid merchandise; that all halls are 3 ft. wide and kept clear at all times; that the

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basement ceiling is fire-retarded; that all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, Order No. 4239-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet so that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk; that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

654-40-A.

APPLICANT—Adine Chaleff, for Harold Lewis, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1017 Avenue K, north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Morris Hammes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn	4
Negative	0

THE RESOLUTION—

(654-40-A)

WHEREAS, Adine Chaleff, for Harold Lewis, owner, filed June 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1017 Avenue K, north side, 52 ft. west of Coney Island avenue (Block No. 6531, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Application No. 2246-40, dated June 7, 1940, reads:

"2. Comply with Section 6.4.1.8.1 as to three-hour stair enclosure.

3. Floor construction to comply with Section 7.3.2.2.3.

4. Interior cellar stairs to be enclosed in 4 in. terra cotta and fireproof self-closing door.

5. Cellar ceiling to be fire retarded as per Section 10.11.

6. Egress from boiler room to comply with Section 6.1.2.5."

WHEREAS, the building is two stories (30 ft.) in height, 20 ft. by 43 ft. in area; of Class 3 construction; located in a residence use C area district; erected in 1923, and occupied: cellar, boiler-room and storage; first and second stories, one family; it is proposed to be occupied: cellar, same; first story, kindergarten, 14 children; second story, one family; and

WHEREAS, the applicant contends that the purpose of this appeal is to secure a certificate of occupancy for use of the first story; that the kindergarten will consist of three rooms which have sufficient means of egress; that most of the time the children will be kept outdoors; that the kindergarten

will be used only during inclement weather; that no children will be boarded on the premises; that the children will be attended at all times; that the director of the kindergarten will reside on the second story; and

WHEREAS, these premises were inspected by a committee of the Board, and the committee recommended that the appeal should be granted under certain conditions.

Resolved, that the decision of the borough superintendent of buildings, acting on Alt. Application No. 2246-40, dated June 7, 1940, Objections 2 to 6, inclusive, be and it hereby is *modified* and the appeal be and it hereby is *granted*, so as to permit the use of the first story only as a kindergarten, on condition that at no time shall there be more than fifteen pupils; that the building shall remain otherwise as a single-family occupancy; that the cellar ceiling throughout shall be fire-retarded in accordance with the requirements of the Board of Standards and Appeals; that the interior door to cellar shall be made self-closing; that the existing exits shall be maintained so that free access thereto is afforded at all times during school hours; that no combustible material, other than fuel for the heating system, shall be stored in the cellar; that the electric equipment shall be made to conform to the requirements of the Electrical Code therefor; that no combustible fabric, unless applied directly to the wall, shall be permitted in the rooms used for such kindergarten; that this modification shall continue for a period of two (2) years from the date of this resolution.

656-40-A.

APPLICANT—Joseph Obstler, for Brooklyn Improvement Company, owner (Dale Coal and Coke Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—38-42 Second avenue, west side, Sixth Street Basin, Gowanus Canal (Block No. 990, part of Lot No. 168), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Obstler and F. T. Apted.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative: Deputy Chief Gunn	1

THE RESOLUTION—

(656-40-A)

WHEREAS, Joseph Obstler, for Brooklyn Improvement Company, owner, filed June 18, 1940, an appeal from a decision of the borough superintendent of buildings; premises 38-42 Second avenue, west side, Sixth Street Basin, Gowanus Canal (Block No. 990, part of Lot No. 168), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 10075-37, dated June 14, 1940, reads:

"F. P. 1. Proposal to install a 200,000 gallon oil storage tank above ground is contrary to Ch. 19-50.0 of the Administrative Code. Proposal is denied based on Fire Dept. disapproval based on correspondence of June 11, 1940."

and

WHEREAS, the premises consist of a portion of a plot, approximately 105 ft. by 60 ft. in area, now occupied in connection with the coal yard on the balance of the plot; it is proposed to install two 100,000-gallon oil storage tanks, extending 8 ft. above grade, to be located in an unrestricted use A area district; the tank will be used for the storage of No. 1 and No. 2 fuel oil; and

WHEREAS, the applicant contends that 7 ft. of the depth of the tank will be below grade and 8 ft. will be above grade; that the tank will be encased in concrete walls and covered

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with 2 in. of earth fill; that the Code cannot be complied with due to tide water conditions; that the structural design has been approved by the Building Department and permit issued; that the present objection of the borough superintendent of buildings is predicated on the request of the Fire Department; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 10075-37, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the storage shall be limited to No. 1 and No. 2 fuel oil; that the tank installation shall be constructed substantially as indicated on revised plans marked "Received July 23, 1940"; that the two 100,000-gallon tanks proposed shall comply in all other respects with the Oil Burner Rules of the Board of Standards and Appeals; that such fire-fighting equipment deemed adequate by the fire commissioner shall be installed and maintained; that the plant shall be under watchman service for twenty-four hours each day; that the concrete work shall comply with the requirements of the Administrative Building Code for Average B Concrete; that a copy of the plans as approved by the borough superintendent of buildings under this resolution, including the fire-fighting equipment as approved by the fire commissioner, shall be filed with this Board; that the location of tanks shall be substantially as shown on revised plans marked "Received July 23, 1940", and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

662-40-A.

APPLICANT—William F. Regan, for Sarah Brody and Pauline Switzky, owners (Isaac Birnbach, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—252 Varet street and 25 Bogart street, southwest corner (Block No. 3118, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(662-40-A)

WHEREAS, William F. Regan, for Sarah Brody and Pauline Switzky, owners, filed June 19, 1940, an appeal from a decision of the borough superintendent of buildings; premises 252 Varet street and 25 Bogart street, southwest corner (Block No. 3118, Lot No. 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4949-39, dated June 14, 1940, reads:

"2. Change of occupancy from show shop to storage of wool and cotton goods should comply fully with Administrative Code. C19.149 as follows:

a. Show that there are no Public Assemblies within 50 feet.

b. Premises must be equipped with extinguishing system.

Use and storage of cotton goods to be stored in a building on same lot or premises with multiple dwelling is contrary to Sec. 58, M.D.L."

and

WHEREAS, the building is three stories (27 ft.) in height, 25 ft. by 50 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected in 1900, and occupied: cellar, vacant; first story, storage of combustible

fibre in store; second story, two families; third story, two families; and

WHEREAS, the applicant contends that section 58 of the Multiple Dwelling Law specifies that combustible articles may be stored on the same lot with a multiple dwelling when a permit for same is obtained from the Fire Department; that C19-149 of the Administrative Code specifies that no permit for combustible fibres may be issued on premises occupied by a multiple dwelling; that a certificate of occupancy was requested by the Fire Department in order to act on the applicant's application for a permit to store combustible fibre; that portable fire extinguishers satisfactory to the Fire Department will be installed in compliance with Objection No. 1-b of the borough superintendent of buildings decision.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 4949-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 2, only as to the storage of combustible materials as proposed, *on condition* that an approval of the fire commissioner for such occupancy as required under section 58 of the Multiple Dwelling Law shall be obtained and filed with the borough superintendent of buildings, as required by section C19-149.0 of the Administrative Code.

664-40-A.

APPLICANT—West Disinfecting Company, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—42-14 West street, west side, 125 ft. south of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aurora Manilia and Peter Ehlen.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(664-40-A)

WHEREAS, West Disinfecting Company, owner, filed June 19, 1940, an appeal from a decision—re an order of the fire commissioner; premises 42-14 West street, west side, 125 ft. south of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 82804-LC, dated February 23, 1940, reads:

"You are hereby notified that an inspection of the above premises, used to store acids, shows that the following must be done before the permit requested by you can be issued:

1. Provide an approved storage system for the storage of 50 barrels of kerosene used in the manufacture of insecticides. Plans and specifications to be filed with and approved by the Division of Buildings, before the work of installing storage tank is commenced. Tank to be tested and installation supervised by a representative of Division of Combustibles, Fire Department."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated May 29, 1940; and

WHEREAS, the building is two stories (25 ft.) in height, 75 ft. by 155 ft. in area on the first story and 75 ft. by 25 ft. in area on the second story; of Class 3 construction; equipped with a standpipe and a sprinkler system; located in an unrestricted use A area district; erected in 1914, and occupied: cellar, storage of disinfectants, 8 persons; first story, laboratory, 4 persons; second story, painting and assembling of machinery, 2 persons; and

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WHEREAS, the applicant contends that the present storage tank is located inside of Building No. 2 in the sub-cellar, part of which cellar extends above street level and which is kept ventilated; that 1,500 gallons of kerosene are kept on the premises in a covered steel tank and have been so stored for twenty-five years; that the building is sprinklered and equipped with a standpipe system; and

WHEREAS, the record indicates that the tank in question has been approved by the fire commissioner for the storage of kerosene oil for a period of more than ten years.

Resolved, that the order of the fire commissioner, Order No. 82804-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the present storage tank for kerosene shall be maintained to the satisfaction of the fire commissioner; that the standpipe and sprinkler systems and all other fire-fighting appliances shall be maintained in accordance with the requirements and to the satisfaction of the fire commissioner, and granted only so long as conditions throughout the factory are maintained in a satisfactory manner.

668-40-A.

APPLICANT—Anthony M. De Rose, for Joseph Bellone, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3187 East Tremont avenue, east side, 48.75 ft. north of Waterbury avenue (Block No. 5351, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(668-40-A)

WHEREAS, Anthony M. De Rose, for Joseph Bellone, owner, filed June 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 3187 East Tremont avenue, east side, 48.75 ft. north of Waterbury avenue (Block No. 5351, Lot No. 8), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 352-40, dated June 10, 1940, reads:

"1. Change of occupancy of a frame dwelling in the fire limits to be used as a business building is contrary to Sec. 2.1.3.5 of the Building Code."

and

WHEREAS, the building is two stories (24 ft.) in height, 23.75 ft. by 49 ft. 3 in. in area at first story and 19 ft. by 34 ft. in area at second story; of Class 4 construction; located in a business use C area district; erected in 1924, and to be occupied: cellar, storage and laundry; first story, store and boiler-room; second story, dwelling; and

WHEREAS, it is proposed to erect a front extension to the cellar and first story, of masonry material, to use the first story as a store and to enclose the entire first story in masonry materials; the present first story is now occupied as a garage, boiler-room and storage room, and will be occupied as a store at the front and storage and boiler-room at the rear; and

WHEREAS, the applicant contends that the entire ceiling of the business portion will be fire-retarded; that while the second story will be of frame construction, the business portion will be enclosed in masonry walls separated from the dwelling by fire-retarded construction.

Resolved, that the decision of the borough superintendent of buildings, as to Alteration Application No. 352-40, be and

it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1 thereof, *on condition* that the building shall be reconstructed as proposed; that the business use shall be confined to the first story; that the entire ceiling and first story of the building shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals in connection with the residential occupancy; that the building shall not be further increased in height and area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

673-40-A.

APPLICANT—F. W. Nitardy, for E. R. Squibb and Sons, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Hunley Abbott and Albert B. Hayes.

For Opposition: B. Meredith Langstaff.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(673-40-A)

WHEREAS, E. R. Squibb and Sons, owner, filed June 21, 1940, an appeal from a decision of the borough superintendent of buildings for permission to erect a building in the bed of a mapped street (Poplar street); premises 34-42 Columbia Heights, west side, 164 ft. south of Doughty street, and 27-53 Furman street (Block No. 203, Lot No. 1, and Block No. 208, Lot Nos. 2, 10 and 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1401-40, dated June 19, 1940, reads:

"1. New structure to be erected on a city highway as laid out on city map. Application is therefore denied. (Sec. 35 of General City Law.)"

and

WHEREAS, the proposed building will be thirteen stories (162 ft.) in height, 83 ft. 6½ in. on Columbia Heights by 211 ft. 1½ in., irregular, in area; of Class 1 construction; located in an unrestricted use B area district; to be equipped with a standpipe and a sprinkler system; to be occupied: cellar, tank pit, storage of cod liver oil and chemicals, no persons; first story, manufacturing and shipping, 35 persons; second to tenth stories, inclusive, manufacturing of medicines, 7 persons on second story, 8 on third story, 37 on fourth story, 112 on fifth story, 2 on sixth story, 6 on seventh story, 4 on eighth story, 28 on ninth story, and 32 on tenth story; 11th story, manufacturing and offices, 67 persons; 12th story, employees' recreation and lunch room, 120 persons; and

WHEREAS, the applicant contends that portions of four separate buildings erected within the bed of Poplar street were demolished to make room for the proposed building; that if the proposed street is cut through, it will result in a street grade of 20 per cent., which would be impracticable; that a request has been made to the borough president for removal of the street from the city map; and

WHEREAS, the applicant has filed a copy of a communication from the borough president, dated June 18, 1940, where-

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in it is stated that instructions have been prepared to proceed with the preparation of the proposed map change; and

WHEREAS, under date of July 3, 1940, the borough president forwarded to this Board a copy of a report of the Consulting Engineer of the Borough of Brooklyn, wherein it is recommended that the street be removed from the city map, stated that steps have already been taken towards such removal; and

WHEREAS, due notice of this hearing has been given by publication in the Bulletin of the Board and in the Brooklyn Daily Eagle.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 1401-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the authority vested in the Board by section 35 of the General City Law, so as to permit the construction within the bed of Poplar street of a building as proposed, *on condition* that the height of such building shall not be greater than the height of buildings legally permitted to be constructed on Furman street; that pending the removal from the map of Poplar street by the City Planning Commission, any building erected in the bed of Poplar street shall comply with the requirements of the zoning resolution for the abutting properties.

689-40-A.

APPLICANT—Koch and Wagner, for Vulcan Rail and Construction Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Charles C. Wagner and Harry L. Yakel.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(689-40-A)

WHEREAS, Koch and Wagner, for Vulcan Rail and Construction Company, owner, filed June 25, 1940, an appeal from a decision of the borough superintendent of buildings for permission to extend an existing building into the beds of mapped streets (52nd street and 59th avenue); premises 51-20 Grand avenue, south side, 469.56 ft. west of Garrison avenue (Block No. 2626, Lot No. 6, and Block No. 2615, Lot No. 6), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1526-40, dated June 21, 1940, reads:

"1. Present floor area (29,350 sq. ft.) and proposed additional area exceeds area allowed by Sec. 4.2.1 B.C.

2. Construction extends into the bed of street (present and new)."

and

WHEREAS, the existing building, which was erected in 1921, is one and two stories in height, 98 ft. by 299.5 ft. in area, and of Class 3 construction; and

WHEREAS, it is proposed to construct an addition on the north end of the plot facing Grand avenue, 98 ft. by 98.25 ft. in area, and an addition on the central portion of the plot, located 531 ft. 8 in. south of Grand avenue, to be 98 ft. by 125.6 ft. in area, as shown on plans marked "Received

June 25, 1940", the entire building to be used for the storage of iron and steel and as a shop; and

WHEREAS, the applicant contends that the area of the existing one-story building is 29,350 sq. ft.; that the area as proposed will be 41,658 sq. ft.; that the proposed extension to be erected at the central portion of the plot will be provided with a 12 in. brick wall, separating same from the one-story storage building, said wall to have a 12 ft. wide opening, equipped with a three-hour protective assembly; that the existing 12 in. brick wall at the north end of the existing building will have all openings bricked up, and two new openings provided, as shown on plans filed with this appeal; that these openings will be equipped with three-hour protective assemblies; that the entire building will be sprinklered throughout; that the business conducted in these buildings is non-hazardous; that all of the existing buildings and proposed additions based on the existing private right-of-way, 20 ft. in width on the east and the open court, 20 ft. wide on the west; that all of the existing buildings now on this plot are partly located in the bed of mapped streets; that the proposed extension will to a large extent replace the existing structures now located in the bed of mapped street; and

WHEREAS, the building is proposed to be occupied for the processing of heavy paper under steam pressure and products manufactured therefrom.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 1526-40, Objection No. 2, be and it hereby is *modified* and the appeal be and it hereby is *granted*, under the authority vested in the Board under section 35 of the General City Law, to permit the construction of portions of the building as proposed into the bed of 52nd street and 59th avenue, *on condition* that in the event either or both of these streets are opened, no claim will be made by the owner in condemnation for the value of the buildings above the land, and *granted*, as to Objection No. 1, *on condition* that the building shall be protected throughout with a two-source sprinkler system; that the exits shall be maintained substantially at points indicated on plans marked "Received June 25, 1940", and *granted* only so long as the building is occupied as herein proposed or for some other occupancy deemed no more hazardous by the borough superintendent of buildings or the fire commissioner; that a further passage from said exit to Grand avenue, both on the easterly and westerly sides, shall be maintained at all times without passing through any other building; that the entire building shall be under control of watchman service during twenty-four hours of the day; that such fire-fighting appliances shall also be installed as the fire commissioner shall direct; that in all other respects the construction shall comply with the requirements of all laws, rules and regulations applicable thereto, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

692-40-A.

APPLICANT—J. Raymond Broderick, for The Metropolitan Savings Bank, owner (Thomas and Isabella Basile, lessees).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—402-404 East 101st street, south side, 50 ft. east of First avenue (Block No. 1694, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Raymond Broderick and Richard B. Campbell.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

MINUTES

THE RESOLUTION—

(692-40-A)

WHEREAS, J. Raymond Broderick, for The Metropolitan Savings Bank, owner (Thomas and Isabella Basile, lessees), filed June 24, 1940, an appeal from an order and a decision of the fire commissioner; premises 402-404 East 101st street, south side, 50 ft. east of First avenue (Block No. 1694, Lot No. 46), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 8558-LF, dated May 13, 1940, reads:

"Item No. 1. Repair or replace the defective shutters with proper iron shutters at all openings in the exterior wall which are distant in a direct line less than 30 feet from any opening in any other building and not in the same plane with said openings and which are not more than 50 feet above a neighboring roof at west and east courts of building, also rear south wall, or other approved protection."

and

WHEREAS, the decision of the fire commissioner, dated May 23, 1940, reads:

"It is regretted that your request to permit you to board over the windows on unused floors, etc. in lieu of repairing or replacing iron shutters, must be denied for the following reasons:

1. This department has no authority to modify the requirements of the Administrative Code, as that function lies entirely with the Board of Standards and Appeals.

2. It is not thought that the method of compliance you offer would be desirable, as in the event of a fire in the building the firemen could not enter by means of ladders, nor could they properly ventilate the premises and would have great difficulty in extinguishing the fire if the windows were boarded up in the manner you suggest."

and

WHEREAS, Unsafe Notice, dated June 10, 1940, was served on the owner by the borough superintendent of buildings, requiring the removal of all loose, broken and defective shutters on windows of the west wall and the replacing with shutters in sound condition; and

WHEREAS, the building is five stories (61 ft.) in height, 50 ft. by 100.11 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected in 1906, and occupied: cellar, vacant; first story, storage of wagons; second story, stable for twenty horses; third, fourth and fifth stories, vacant; and

WHEREAS, the applicant contends that due to the fact that only the first and second stories are occupied and that there are no windows in the west wall of the first story, the order is deemed unjustified and unwarranted in view of the large expenditure required; that it is proposed to board up the windows in question and cover same on the outside with 20 gauge sheet metal; that a modification of the order is requested to permit the boarding up, as proposed, of the windows above the second story.

Resolved, that the order of the fire commissioner, Order No. 8558-LF, Item 1, be and it hereby is *modified* and the appeal be and it hereby is *granted*, only so far as it applies to the windows above the second story, *on condition* that on all these stories all windows shall be closed as proposed with wood covered with metal not less than 20 gauge in thickness or with masonry not less than 4 in. thick, and that the order shall be complied with as to all windows on second story, except such windows on said second story which are less than 6 sq. ft. in area, which may be closed, as proposed, on the upper stories; that this modification shall continue only so long as floors above the second story remain vacant and unoccupied and the building is otherwise maintained as proposed, but not longer than a temporary period of two (2) years, and that any hay stored shall be in bales, with not more than one bale opened or loose at any one time.

693-40-A.

APPLICANT—Sleepwell Metal Bed Company, Incorporated, lessee, for Meyline Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Wiener.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(693-40-A)

WHEREAS, Sleepwell Metal Bed Company, Incorporated, lessee, for Meyline Realty Corporation, owner, filed June 25, 1940, an appeal from an order and a decision of the fire commissioner; premises 474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 83326-LC, dated April 10, 1940, reads:

"2. Provide a self-closing metal cover equipped with fusible links for each dipping tank, C-19-11, Administrative Code.

4. Discontinue the maintenance of any open flames within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8, Spray Rules."

and

WHEREAS, this order was referred to in a decision of the fire commissioner dated May 27, 1940; and

WHEREAS, the building is four stories in height, 175 ft. by 75 ft. in area; of Class 3 construction; located in an unrestricted use district; date of erection unknown; occupied: first story, manufacturing of springs and beds, 20 persons; second story, manufacturing of clothing, 50 persons; third story, same, 75 persons; fourth story, same, 90 persons; and

WHEREAS, the applicant contends that due to overhead trolley lines, fusible links cannot be mounted on the existing covers; that it is requested permission be granted to continue the use of the covers in their present condition; that the welder is located 75 ft. from the spray booth; that the spray booth is used only one hour per week; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 83326-LC, be and it hereby is *modified* and the appeal be and it hereby is *granted*, as to Item 2, *on condition* that the metal covers, which may be without fusible links, shall be kept over dipping tanks at all times when same are not in use; that the thinning material used in the dipping shall have a flashpoint of not less than 100 degrees; that as to Item 4, that open flames, including the welding equipment, shall be not nearer than 60 ft. to the point where the spraying or dipping is carried on; that the spray booth shall comply with all the requirements therefor; that during the time the spraying and dipping are carried on, proper ventilation, either by means of mechanically-driven fan or windows to the outer air, shall be maintained; that the equipment and premises shall be maintained to the satisfaction of the fire commissioner, and that in all other respects all laws, rules and regulations applicable thereto shall be complied with.

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694-40-A.

APPLICANT—George R. Read and Company, for Grand Centre Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—224 Centre street, 165-171 Grand street, southeast corner, and 154 Baxter street (Block No. 235, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: William H. Class and J. Frederick Bender.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(694-40-A)

WHEREAS, George R. Read and Company, for Grand Centre Corporation, owner, filed June 25, 1940, an appeal from an order and a decision of the fire commissioner; premises 224 Centre street, 165-171 Grand street, southeast corner, and 154 Baxter street (Block No. 235, Lot No. 13), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 6665-LF, dated January 10, 1940, reads:

"2. Install an approved standpipe system arranged and equipped as per Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated June 4, 1940, reads:

"In reply to your request for consideration on Item 2 of Order No. 6665-LF, requiring a standpipe system to be installed in the above premises, you are advised that as the building exceeds 85 ft. in height, the standpipe system is required by the Administrative Code and your request must be denied."

and

WHEREAS, the building is six stories (95 ft.) in height, 77 ft. by 104 ft. 10 in., irregular, in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use district; erected prior to 1895, and occupied: cellar and first story, stores for sale of machinery, hardware, uniforms, banners and statuary, 17 persons; second story, electro-plating of lighting fixtures, 26 persons; third story, manufacturing of lighting fixtures, metal and brass articles, 31 persons; fourth story, lithographing, 23 persons; fifth story, metal spinning, machine grinders and manufacturing of ink, 18 persons; sixth story, manufacturing of metal articles, 38 persons; and

WHEREAS, the applicant contends that the building was erected prior to 1895 and is structurally the same as when erected; that the walls throughout are 24 in. thick; that direct passage is afforded for two fire escapes by openings in the division wall on each story; that the premises are equipped with an approved sprinkler system, having siamese on each of the three street fronts; that this sprinkler system is supplied by a 7,500-gallon pressure tank located in the pent house, maintaining a minimum pressure of 75 pounds, and a 10,000-gallon gravity tank, 20 ft. above the highest sprinkler outlet; that there is a direct central office connection to the Automatic Fire Alarm Company and an interior fire alarm system with a box on the hall of each story; that monthly fire drills are held, and in view of the existing fire protection, it is requested that the order of the fire commissioner be modified.

Resolved, that the order of the fire commissioner, Order No. 6665-LF, Item 2, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the sprinkler system and interior fire alarm system shall be maintained to the satisfaction of the fire commissioner, and that

in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and, further, that the building shall not be increased in height or area.

709-40-A.

APPLICANT—James Anderson, Jr., for Sterling National Bank and Trust Company, owner (Barricini, Incorporated, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—22-11 to 22-19 41st avenue, northwest corner of 23rd street (Block No. 409, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(709-40-A)

WHEREAS, James Anderson, Jr., for Sterling National Bank and Trust Company, owner, filed June 28, 1940, an appeal from a decision of the fire commissioner; premises 22-11 to 22-19 41st avenue, northwest corner of 23rd street (Block No. 409, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated June 24, 1940, reads:

"In reply to your letter of June 20th, 1940, relative to relocating of a 60 ton air cooling system from 31-02 Northern Boulevard, Long Island City, to the new premises of the Barricini Candy Company's plant at 221-19 41st Avenue, Long Island City, please be advised that this department has no objection to such transfer of equipment.

The Administrative Code Section C19-98 (C) does however prohibit the use of a refrigerating system from the first to the second floor as outlined in the second paragraph of your letter.

This department will have no objection to your right to an appeal to the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the building is seven stories (85 ft.) in height, 100 ft. 10 in. by 175 ft. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; erected in 1924; located in an unrestricted use B area district, and occupied: cellar, boiler and meter room, 2 persons; first story, storage, shipping and receiving, 6 persons; second story, offices and storage, 20 persons; third story, packing candy, 20 persons; fourth and fifth stories, manufacturing of candy, 100 and 25 persons, respectively; sixth and seventh stories, storage, 5 persons per story; and

WHEREAS, it is proposed to remove the existing sixty-ton air-conditioning system containing 400 pounds of F-12 refrigerant from its present location at 42-50 21st avenue, Long Island City, to the building in question, to install same on the first story, to air-condition the first, second and third stories of the building, and to install new F-12 air-conditioning equipment on each of the fourth and fifth stories; that the proposed system for the fourth story will be of forty tons capacity and contain 200 pounds of F-12 refrigerant; that the proposed system for the fifth story will be of twenty-five tons capacity and contain 125 pounds of F-12 refrigerant; and

WHEREAS, the applicant contends that the equipment proposed to be moved was purchased in 1939 at a cost of approximately \$10,000; that this equipment is sufficient to air-

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condition the first, second and third stories of the building in question; that there is no question involved in the installation of the new equipment on the fourth and fifth stories; that the only question involved is the extending of the duct work from the first to the second story, and running direct expansion steel mains from the third story unit to the compressor and economizer to be located on the first story; that the ducts between the first and second stories will be equipped with fire dampers and asbestos insulation; that the entire premises are occupied by one tenant; that the proposed installation will not constitute a hazard and that same will be permitted by the proposed Code now pending before the Council.

Resolved, that the decision of the fire commissioner, dated June 24, 1940, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the ducts present between the first and second stories shall be equipped with fire dampers and with asbestos insulation to the satisfaction of the fire commissioner, and that the condition in all other respects, as appealed from, shall meet the requirements of the proposed Code as now before the Council and as is applicable thereto.

730-40-A-WF.

APPLICANT—John Louis Wilson, for Alvesta Cailloux, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—106-15 Northern boulevard, northwest corner of 107th street (Block No. 1701, Lot No. 73), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Jack Pearl and George Cailloux.
For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(730-40-A-WF)

WHEREAS, John Louis Wilson, for Alvesta Cailloux, owner, filed July 2, 1940, an appeal from a decision of the borough superintendent of buildings for permission to operate a cabaret within the World's Fair area; premises 106-15 Northern boulevard, northwest corner of 107th street (Block No. 1701, Lot No. 73), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 4956-40, dated July 1, 1940, reads:

"1. Proposed use of premises as a cabaret, bar and grill is contrary to Sec. 8 of World's Fair Resolution."

and

WHEREAS, the building is three stories (30 ft.) in height, 20.09 ft. by 100 ft. in area at first story and 20.09 ft. by 55 ft. at typical floor level; of Class 3 construction; located in a business use B area district; erected in 1914, and occupied: cellar, boiler-room and storage, no persons; first story, store, bar and grill, 150 persons; second story, dwelling; third story, dwelling; it is proposed to be occupied: cellar, same; first story, store (bar and grill and cabaret); second story, dwelling; third story, dwelling; and

WHEREAS, the applicant contends that the premises are eight blocks from the World's Fair; that the proposed use will not be for the purpose of attracting Fair visitors but will serve as a permanent use to meet the normal recreational needs of the neighborhood.

Resolved, that the decision of the borough superintendent of buildings, acting on Miscellaneous Application No. 4956-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall in all other respects comply with all laws,

rules and regulations applicable to the building and occupancy and that the requirements of the World's Fair Resolution as to signs shall be complied with.

745-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—173-02, 173-06 and 173-10 Effington avenue, southeast corner of Fresh Meadow lane (Block No. 5586, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.
For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(745-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 5, 1940, an appeal from a decision of the borough superintendent of buildings; premises 173-02, 173-06 and 173-10 Effington avenue, southeast corner of Fresh Meadow lane (Block No. 5586, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Applications 3981, 3982 and 3983-40, dated June 25, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to Sec. 4.2.1 of the Building Code."

and

WHEREAS, the premises are located in a business and residence use D area district and consist of a plot fronting 124.54 ft. on Effington avenue and 100.02 ft. on Fresh Meadow lane; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one and one-half story frame, one-family dwelling, 18 ft. in height and 25 ft. by 38 ft. 8 in. in area, and a one-car private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back 15 ft. from the Effington avenue building line and will be provided with 10 ft. side yards on the north lot lines; the corner dwelling will be set back 8 ft. from Fresh Meadow lane; dwellings to be located 44 ft. east of Fresh Meadow lane will have 5 ft. side yards on the south lot lines; the garages will be located 1 ft. from rear and side lot lines; the dwellings and garages will be brick veneer except for the frame gables; the roofs will be surfaced with approved asphalt shingles, and as an alternate form of construction the garages may be of concrete blocks if requested by the purchaser; and

WHEREAS, the applicant contends that it has purchased a tract of approximately eighteen acres upon which it is erecting similar dwellings; that it is proposed to file a declaration of restriction restricting all the property within this development to residential use; that the construction of dwellings complying with the requirements of the Building Code would be too expensive and would not be justified by the possible sales in this market; that it is requested that permission be granted to erect dwellings and garages, as proposed, in order that these buildings will harmonize with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 3981, 3982 and 3983-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed; that in all other respects the buildings shall comply with the requirements for similar buildings when erected outside the fire limits; that the garage shall be used solely as accessory

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to the single family residence use on each lot; that the gables of the garages where facing interior lot lines shall be protected with construction of incombustible materials.

746-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—172-03, 172-07, 172-11, 172-15 and 172-19 Effington avenue, north side, between Fresh Meadow lane and Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(746-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 5, 1940, an appeal from a decision of the borough superintendent of buildings; premises 172-03, 172-07, 172-11, 172-15 and 172-19 Effington avenue, north side, between Fresh Meadow lane and Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4134 to 4138-40, inclusive, reads:

"1. The erection of a frame building in the fire limits is contrary to Sec. 4.2.1 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 254.46 ft. on Effington avenue, 100.48 ft. on Auburndale lane and 132.86 ft. on Fresh Meadow lane; located in a business and residence use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a one and one-half story frame, one-family dwelling, 18 ft. in height and 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back 15 ft. from the Effington avenue building line; the dwelling at the corner of Auburndale lane will be set back 6 ft. from Auburndale lane and will be provided with a 4 ft. side yard on the southeast side; the dwelling at the corner of Fresh Meadow lane will be set back 9 ft. from the Fresh Meadow lane building line and will be provided with a 6 ft. side yard on the northwest side; the dwellings to be located at 172-07, 172-11 and 172-15 Effington avenue will have 9 ft. side yards on the northwest side and 4 ft. yards on the southeast side; the garage to be located on the lot at the corner of Fresh Meadow lane will be 1 ft. from the northwest lot line and will be set back 5 ft. 8 in. from the Fresh Meadow lane building line; all other garages will be located 1 ft. from rear and side lot lines; the garage to be located on the lot at the corner of Auburndale lane will be set back 4 ft. 8 in. from the Auburndale lane building line; and

WHEREAS, the applicant contends that it has purchased a tract of approximately eighteen acres upon which it is erecting similar dwellings; that it is proposed to file a declaration restricting all the property within this development to residential use; that the construction of dwellings complying with the requirements of the Building Code would be too expensive and would not be justified by the possible sales in this market; that it is requested permission be granted to erect the dwellings and garages, as proposed, in order that these buildings will harmonize with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 4134 to 4138-40, inclusive, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed; that in all other respects the buildings shall comply with the requirements for similar buildings when erected outside the fire limits; that the garage shall be used solely as accessory to the single family residence use on each lot; that the gables of the garages where facing interior lot lines shall be protected with construction of incombustible materials.

747-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—173-01, 173-05 and 173-09 Effington avenue, northeast corner of Fresh Meadow lane (Block No. 5585, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(747-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 5, 1940, an appeal from a decision of the borough superintendent of buildings; premises 173-01, 173-05 and 173-09 Effington avenue, northeast corner of Fresh Meadow lane (Block No. 5585, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 3878, 3879 and 3880-40, dated June 25, 1940, reads:

"The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 125.68 ft. on Effington avenue and 100.02 ft. on Fresh Meadow lane; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one and one-half story frame, one-family dwelling, 18 ft. in height and 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back 15 ft. from the Effington avenue building line; the corner dwelling will be set back 11 ft. from the Fresh Meadow lane building line; all dwellings will be provided with 10 ft. side yards on the east lot lines and 5 ft. yards on the south lot lines, except for the corner dwelling, which will be set back as stated above from the Fresh Meadow lane building line; all garages will be located 1 ft. from rear and side lot lines; the dwellings and garages will be brick veneer except for frame gables and roofs will be surfaced with approved asphalt shingles; as an alternate form of construction, garages may be of masonry construction when desired by the purchaser; and

WHEREAS, the applicant contends that it has purchased a tract of approximately eighteen acres upon which it is erecting similar dwellings; that it is proposed to file a declaration restricting all the property within the development to residential use; that the construction of dwellings complying with the requirements of the Building Code would be too expensive and would not be justified by the possible sales in this market; that it is therefore requested permission be granted to erect dwellings and garages, as proposed, in

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order that these buildings will harmonize with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 3878, 3879 and 3880-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed; that in all other respects the buildings shall comply with the requirements for similar buildings when erected outside the fire limits; that the garage shall be used solely as accessory to the single family residence use on each lot; that the gables of the garages where facing interior lot lines shall be protected with construction of incombustible materials.

751-40-A.

APPLICANT—George G. Miller, for Simpson Home, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—60-04 to 60-38 Little Neck parkway, southwest corner of 60th avenue (Block No. 8360, Lot Nos. 7-25, inclusive), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(751-40-A)

WHEREAS, George G. Miller, for Simpson Home, Incorporated, owner, filed July 8, 1940, an appeal from decisions of the borough superintendent of buildings; premises 60-04 to 60-38 Little Neck parkway, southwest corner of 60th avenue (Block No. 8360, Lot Nos. 7-25, inclusive), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4322 to 4327-40, inclusive, dated June 26, 1940, reads:

"The erection of a frame building in a business district is contrary to the Building Code (Sec. 4.1.1. and 4.1.2). Not further considered."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4328, 4329 and 4330-40, dated July 3, 1940, reads:

"The erection of a frame building in the Fire Limits is contrary to the Building Code. (Sec. 4.1.2 B.C.)"

and

WHEREAS, the premises consist of a plot fronting 374.11 ft. on Little Neck parkway and 113.04 ft. on 60th avenue; located in a business use D area and residence use E area district; it is proposed to subdivide the plot into nine separate lots and to erect on each lot a one-story frame one-family dwelling, 14 ft. 10 in. in height and 28 ft. by 22 ft. in area; the dwellings will be set back 20 ft. from the Little Neck parkway building line, into which set back front entrance will project for approximately 5 ft.; the building to be located on the corner of 60th avenue and Little Neck parkway will be set back approximately 10 ft. from 60th avenue and will be provided with a 10 ft. side yard on the south lot line; all other dwellings will be provided with 6 ft. wide side yards on both the north and south lot lines, into which yards chimney breasts will project for a distance of 2 ft.; the dwellings shall be surfaced on the exterior with wood siding and the roofs will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that although the prop-

erty is zoned in part for business use, it is intended to develop the area with residences and retain the rural character of the neighborhood; that as this is to be a low-cost development, the erection of Class 3 buildings as required by the Building Code would be prohibitive as there is no market in this area for such type of construction.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 4322 to 4330-40, inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially as proposed, and limited to single family buildings, and in all other respects shall comply with the requirements of the Building Code for similar buildings erected outside the fire limits; that the requirements of the residence use E area district shall be complied with, except that chimney breasts may extend into the side yard for a distance of not more than 2 ft.

753-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-34 185th street, west side, 280 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(753-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-34 185th street, west side, 280 ft. south of 58th avenue (Block No. 5688, Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4412-40, dated July 2, 1940, reads:

"The erection in the fire limits of a frame dwelling and a frame accessory garage, is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 40 ft. on 185th street and 10 ft. on North Hempstead turnpike, as proposed, with a depth of 100 ft. along the north lot line, and located in a business and unrestricted use D area district; it is proposed to erect a one-story frame one-family dwelling, 25 ft. 6 in. by 42 ft. in area, and a private garage, 12 ft. by 20 ft. in area; the dwelling will be set back 25 ft. from the 185th street building line and will have a 5 ft. side yard on the north lot line and a 9 ft. 6 in. side yard on the south lot line; the garage will be located 2 ft. from side and rear lot lines; the dwelling and garage will be surfaced on the exterior with brick veneer, except for the frame gables, which will be of frame construction, and the roofs will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that similar buildings have been constructed by these and other owners in the immediate vicinity and that the construction of brick buildings would be inadvisable in this market.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4412-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed, restricted to single family occupancy; that the

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garage erected on the plot shall be used solely as an accessory thereto; that the requirements of the E area district shall be complied with, except that chimney breasts may extend not over 2 ft. into the side yard; that in all other respects the construction shall comply with the requirements of the Building Code for a similar building when erected outside the fire limits; that the gable of the garage facing the lot line shall be protected with incombustible materials.

754-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-41 185th street, east side, 400 ft. south of 58th avenue (Block No. 5689, part of Lot Nos. 1 and 3), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(754-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-41 185th street, east side, 400 ft. south of 58th avenue (Block No. 5689, part of Lot Nos. 1 and 3), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4511-40, dated July 1, 1940, reads:

"The erection of a frame building in the Fire Limits is contrary to the Building Code (Sec. 4.1.2)."

and

WHEREAS, the premises consist of a plot fronting 9 ft. on 185th street and 120 ft. on North Hempstead turnpike, as proposed, with a depth of 100 ft. along the north lot line, and located in a business use D area district; it is proposed to erect a two-story frame one-family dwelling and garage, 41 ft. by 22 ft. in area; the building will be set back not less than 35 ft. from the 185th street building line and will be set back 17 ft. from the proposed line of North Hempstead turnpike, into which latter setback front entrance will project for approximately 8 ft. and, also, will be provided with a 5 ft. yard on the north lot line and a 10 ft. yard on the east lot line; the building will be surfaced on the exterior with brick veneer at the first story and the roof will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that similar buildings have been constructed by these and other owners in the immediate vicinity and that the construction of brick buildings would be inadvisable in this market.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4511-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed, restricted to single family occupancy; that the garage erected on the plot shall be used solely as an accessory thereto; that the requirements of the E area district shall be complied with, except that chimney breasts may extend not over 2 ft. into the side yard; that in all other respects the construction shall comply with the requirements of the Building Code for a similar building when erected outside the fire limits; that the gable of the garage facing the lot line shall be protected with incombustible materials.

755-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-46 186th street, west side, 440 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(755-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-46 186th street, west side, 440 ft. south of 58th avenue (Block No. 5689, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4318-40, dated July 3, 1940, reads:

"The erection in the fire limits of a frame dwelling and a frame accessory garage is contrary to Sec. 4.1.2 N.B.C."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, with a frontage of 10 ft. on North Hempstead turnpike, as proposed; it is proposed to erect a one-story one-family frame dwelling and garage; the dwelling will be 25 ft. 6 in. by 42 ft. in area, and the garage to be 12 ft. by 20 ft. in area; the dwelling will be set back 25 ft. from 186th street a distance of 25 ft.; the front entrance will project approximately 5 ft. and will have a 5 ft. side yard on the north lot line and 9 ft. 6 in. yard on the south lot line; a garage will be erected 2 ft. from side and rear lot lines; the dwelling and garage will be brick veneer, except for frame gables and roofs, which will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that similar buildings have been erected in this area by it and other owners; that the erection of brick buildings would not be warranted by possible sales in this area; that the proposed dwelling will be in harmony with the neighborhood.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4318-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed, restricted to single family occupancy; that the garage erected on the plot shall be used solely as an accessory thereto; that the requirements of the E area district shall be complied with, except that chimney breasts may extend not over 2 ft. into the side yard; that in all other respects the construction shall comply with the requirements of the Building Code for a similar building when erected outside the fire limits; that the gable of the garage facing the lot line shall be protected with incombustible materials.

756-40-A.

APPLICANT—A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—58-57 186th street, east side, 560 ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens.

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APPEARANCES—

For Applicant: A. Harry Boris.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(756-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-57 186th street, east side, 560 ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4512-40, dated July 1, 1940, reads:

"The erection of a frame building in the Fire Limits is contrary to the Building Code (Sec. 4.1.2)."

and

WHEREAS, the premises consist of a plot fronting 15 ft. on 186th street, 45 ft. on North Hempstead turnpike and 100 ft. along the north lot line, and located in a business use D area district; it is proposed to erect a two-story frame one-family dwelling and garage, 41 ft. by 22 ft. in area; the building will be set back not less than 10 ft. from the building lines of North Hempstead turnpike and World's Fair boulevard, into which setback front entrance and steps will project for approximately 7 ft.; the building will be set back 39 ft. from the 186th street building line and will have a 5 ft. wide yard on the north lot line and a 20 ft. yard on the east lot line; the building will be surfaced on the exterior of the first story with brick veneer and the roof will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that similar buildings have been constructed by these and other owners in the immediate vicinity and that the construction of brick buildings would be inadvisable in this market.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4512-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed, restricted to single family occupancy; that the garage erected on the plot shall be used solely as an accessory thereto; that the requirements of the E area district shall be complied with, except that chimney breasts may extend not over 2 ft. into the side yard; that in all other respects the construction shall comply with the requirements of the Building Code for a similar building when erected outside the fire limits; that the gable of the garage facing the lot line shall be protected with incombustible materials.

761-40-A.

APPLICANT—Park Oil Company, owner.

SUBJECT—Appeal from an order of the fire commissioner —re Transportation of Fuel Oil in Tank Truck (capacity of tank not in conformity with Fire Department specifications governing Tank Trucks) in New York City.

APPEARANCES—

For Applicant: Abraham Broder.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(761-40-A)

WHEREAS, Park Oil Company, owner, filed July 10, 1940, an appeal from an order of the fire commissioner relating to the use of trucks for the transportation of Nos. 2, 4, 5 and 6 fuel oils within the City of New York; and

WHEREAS, the order of the fire commissioner, Order No. 22458-LC, dated June 22, 1940, reads:

"An inspection of truck No. 101 with a Queens Tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-52.0.A Title C, Part 1, Art. 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be renewed:

1. Forthwith discontinue the use of tank truck for the following reason—

A. Discontinue the use of tank having a capacity of more than 2500 gallons. Sec. 4.1.

B. Discontinue the use of tank having more than 600 gallon capacity in each compartment. Sec. 4.2."

and

WHEREAS, the truck in question is an Autocar truck of the three-axle type, used for the transportation of Nos. 2, 4, 5 and 6 fuel oils, from Long Island City to the New Hyde Park Terminal of the First National Oil Company at New Hyde Park, Nassau County; and

WHEREAS, the applicant contends that the truck in question has been certified by the manufacturer as being safe for the capacity which it carries and has been licensed by the Fire Department on January 17, 1938, to July 1, 1940; that the truck is not used for retail deliveries and is equipped with a 3 in. pump and 3 in. outlet for bulk deliveries; that in view of this fact the applicant requests that the order of the fire commissioner be waived.

Resolved, that the order of the fire commissioner, Order No. 22458-LC, as to tank truck in question, namely, Autocar 1938 Chassis, No. 6 x 2 UT 16810, Engine No. 60638, for transportation as requested of Nos. 2, 4, 5 and 6 fuel oil in Long Island City, from the plant of the owner to points outside of New York City in Nassau County, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that no deliveries shall be made within New York City, and *granted for a term not to exceed five (5) years*, during the life of the existing chassis, and that in all other respects the requirements of the Tank Truck Rules shall be complied with.

763-40-A.

APPLICANT—Theodore R. Feinberg, for Estate of Paul Schissel, owner (Stevens Jamaica, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163-13 to 163-17 Jamaica avenue, north side, 29.89 ft. east of 163rd street (Block No. 9793, Lot No. 11), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg and Henry Hildebrand.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(763-40-A)

WHEREAS, Theodore R. Feinberg, for Estate of Paul Schissel, owner (Stevens Jamaica, Incorporated, lessee),

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filed July 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 163-13 to 163-17 Jamaica avenue, north side, 29.89 ft. east of 163rd street (Block No. 9793, Lot No. 11), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1477-40, dated July 10, 1940, reads:

"1. Two exits, complying with Sec. 6.4.1.1 are required in the 3rd story (Sec. 6.1.2.2.3). These stairways should lead to the roof (Sec. 6.4.1.11.).

2. Two enclosed stairways leading to the street are required in the 2nd story (Sec. 6.1.2.2.3). An unenclosed ornamental stairway is not considered as a legal exit. (Sec. 6.4.1.9).

3. Two enclosed exits leading directly to the exterior are required in the basement, in compliance with either the former Building Code (Sec. 1526) or the present Building Code (Sec. 6.1.2.2.3).

4. The occupancies for the cellar, 1st story and 2nd story should comply with Sec. 6.1.2.3 (d). Capacities of corresponding exits should conform.

5. The required live load for the 3rd story is 120 lbs. per sq. ft. (Sec. 7.3.2.3)." and

WHEREAS, the building is one story in height, 62.79 ft. by 125 ft. in area; of Class 3 construction; equipped with a sprinkler system; located in a business use B area district; erected in 1903, and occupied: cellar, store, 49 persons; first story, store, 50 persons; and

WHEREAS, it is proposed to alter the building to provide a second and third story, and to occupy the building throughout as follows: cellar, store, 15 persons; first story, store, 40 persons; second story, store, 40 persons; third story, stock room, 5 persons; and

WHEREAS, the applicant contends that the building was originally erected in 1903 and was then subdivided into three stores; that in 1936 it was altered to a single store area by removing all interior partitions; that in 1938 alterations were made to the store fronts and an interior stair was provided; that the alteration made in 1936 was approved with the only means of egress being an ornamental stairway leading from the cellar to the interior of the first story store, and a wood stair leading from the boiler-room at the rear to an open side court; that in 1938 the ornamental stair was relocated towards the rear of the building, and plans were approved with the correction showing wire glass enclosure around such stairs; that the entire building will be used by one tenant as a department store; that it is proposed to provide a steel stairway from cellar to roof at the rear for egress through a court to 163rd street; that this stairway will be fireproof-enclosed; that the existing ornamental stairway will continue from cellar to the first story; that this latter stairway will be 8 ft. wide and enclosed in 4 in. gypsum partitions, plastered on both sides, between first and second stories; that the ceilings will be fire-retarded throughout and the building will be fully sprinklered with a 100 per cent. automatic sprinkler system; that a second means of egress will be provided from the third story by means of a 3 ft. wide fireproof, self-closing door leading directly to the roof of the second story extension; that the adjoining building to the west is approximately level to the roof of second story extension and egress can be had over such roof; that not more than 100 persons will occupy the building; that the third story will be used exclusively for display, receiving, sorting and wrapping of merchandise consisting of women's apparel; that the occupancy of the third story will not exceed five persons; that the third story has been designed for a live load of seventy-five pounds, which is permitted under section 7.3.2.3, subdiv. 1, for the display and sale of light merchandise; that in view of the adequate exits and of the sprinkler system, also the small occupancy,

applicant requests permission to use the ornamental stairway as a second means of egress.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 1477-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 2, only so far as it refers to the proposed ornamental stairway from cellar to second story, *on condition* that this stairway shall be enclosed at the cellar with approved fireproof partitions, and provided there is installed in connection with the proposed sprinkler system in the building a sprinkler curtain around the well on the first and second stories, consisting of sprinkler heads spaced not more than 5 ft. on centers and not more than 2 ft. from the edge of the well hole; that such sprinkler heads shall be in addition to the required sprinkler system of the building, and *denied* as to Objections Nos. 1, 3, 4, 5 and the first part of Objection No. 2.

764-40-A.

APPLICANT—Harvey Wiley Corbett and Charles B. Meyers, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—92-130 Centre street, 48-82 Baxter street, 121-133 White street and 149-165 Leonard street, two entire blocks (Block No. 167, Lot Nos. 1-51, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles B. Meyers.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(764-40-A)

WHEREAS, Harvey Wiley Corbett and Charles B. Meyers, for Department of Public Works, City of New York, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 92-130 Centre street, 48-82 Baxter street, 121-133 White street and 149-165 Leonard street, two entire blocks (Block No. 167, Lot Nos. 1-51, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 228-37, dated July 1, 1940, reads:

"We have examined the blueprint submitted by you on April 19, 1940, to Deputy Commissioner Gillroy, which shows the use of non-fireproof wood in the Criminal Courts Building and Jail.

Please be advised that this department disapproves of the use of wood interior finish in the Criminal Courts Building & Jail, including court rooms and chapel. We require that this interior finish be constructed of incombustible material or fireproof wood in accordance with Section C26-666.0 of the Administrative Code (10.9.1, Building Code)." and

and

WHEREAS, the building is thirteen and seventeen stories in height to the main roofs and covers the entire area of the lot at first story; located in an unrestricted use district; proposed to be equipped with a standpipe system; to be occupied throughout as court rooms, lunch room, library, locker room, offices, laundry, storage, kitchen, waiting room, observation ward, chapel, projection room and jail; and

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WHEREAS, the applicant contends that the woodwork involved is not integral with the construction and finish of the building; that only a limited extent adjoins or abuts the permanent finish of the building and could be classified to a major extent as furniture, balustrades or screens, none of which would be normally required to be of fireproof wood if portable; that the particular items which are the subject of this appeal are as follows:

1. 26 Judges' Desks on the 1st, 2nd, 4th, 5th, 11th, 13th and 15th floors in Court Rooms Nos. 1-36, 1-44, 2-3, 2-19, 2-70, 2-84, 4-1, 4-17, 4-69, 4-92, 5-53, 11-2, 11-21, 11-41, 11-71, 11-95, 11-125, 13-5, 13-26, 13-46, 13-77, 13-101, 13-130, 15-23, 15-39 and 15-60, as designated on plans on file in the Department of Housing and Buildings.

2. 25 Witness Stands consisting of railing and hinged shelf on the 1st, 2nd, 4th, 11th, 13th and 15th floors in Court Rooms Nos. 1-36, 1-44, 2-3, 2-19, 2-70, 2-84, 4-1, 4-17, 4-69, 4-92, 11-2, 11-21, 11-41, 11-71, 11-95, 11-125, 13-5, 13-26, 13-46, 13-77, 13-101, 13-130, 15-23, 15-39 and 15-60, as designated on plans on file in the Department of Housing and Buildings.

3. 6 Stenographers' spaces consisting of railing, desk top with drawers below, on the 1st and 2nd floors in Court Rooms Nos. 1-36, 1-41, 2-3, 2-19, 2-70 and 2-84, as designated on plans on file in the Department of Housing and Buildings.

4. 14 Stenographers' spaces consisting of railings on the 11th, 13th and 15th floors in Court Rooms Nos. 11-21, 11-41, 11-71, 11-95, 11-25, 13-5, 13-26, 13-77, 13-101, 13-130, 15-23, 15-39 and 15-60 as designated on plans on file in the Department of Housing and Buildings.

5. 6 sets of Railings and Gates at Clerks' spaces on the 1st and 2nd floors in Court Rooms Nos. 1-36, 1-44, 2-3, 2-19, 2-70 and 2-84, as designated on plans on file in the Department of Housing and Buildings.

6. 14 Jury Box Railings on the 11th, 13th and 15th floors in Court Rooms Nos. 11-21, 11-41, 11-71, 11-95, 11-125, 13-5, 13-26, 13-46, 13-77, 13-101, 13-130, 15-23, 15-39 and 15-60, as designated on plans on file in the Department of Housing and Buildings.

7. 26 sets of Court Room Railings on the 1st, 2nd, 4th, 5th, 11th, 13th and 15th floors in Court Rooms Nos. 1-36, 1-44, 2-3, 2-19, 2-70, 2-84, 4-1, 4-17, 4-69, 4-92, 5-53, 11-2, 11-21, 11-41, 11-71, 11-95, 11-125, 13-5, 13-26, 13-46, 13-77, 13-101, 13-130, 15-23, 15-39 and 15-60, as designated on plans on file in the Department of Housing and Buildings.

8. 1 Revolving Altar on the 11th floor in the Prison Chapel, Prison Building room No. 11-26.

9. Counters and Railings on the 9th, 15th and 16th floors in Jury Pool Room No. 15-81 and in Grand Jury Waiting Rooms Nos. 9-4, 9-29 and 16-6, as designated on plans on file in the Department of Housing and Buildings.

10. Wood and glass screens on the 15th and 17th floors in Jury Pool Room No. 15-81 and General Library 17th floor, as designated on plans on file in the Department of Housing and Buildings.

11. Desks, railings and hinged shelves on rostrums on the 9th and 16th floors in Grand Jury Rooms Nos. 9-5, 9-31 and 16-98, as designated on plans filed in the Department of Housing and Buildings.

12. Judges' bench on the 15th floor in Jury Pool Room No. 15-81, as designated on plans on file in the Department of Housing and Buildings.

13. Wood counter and glass screen on the 17th floor in the General Library as designated on plans on file in the Department of Housing and Buildings.

that all wood work, such as wainscoting, bookcases, etc.,

permanently secured to fireproof construction, or built into the wainscoting, will be of fireproof wood.

Resolved, that the decision of the borough superintendent of buildings, as to New Building Application No. 228-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that all wood used incorporated in the building shall be fireproofed other than the equipment of the type as listed in Items 1 to 13 in this appeal.

766-40-A.

APPLICANT—Eggers and Higgins, for F. and M. Schaefer Brewing Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1-17 South 10th street, north side, 90.83 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George T. Taylor.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(766-40-A)

WHEREAS, Eggers and Higgins, for F and M. Schaefer Brewing Company, owner, filed July 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1-17 South 10th street, north side, 90.83 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2866-40, dated June 11, 1940, reads:

"2. Standpipe system for existing building was waived conditionally by Board of Standards and Appeals under Cal. No. 26-37-A. Since building is being increased in area, proposition is to be referred back to that body unless standpipe system is installed."

and

WHEREAS, the applicant contends that it is proposed to construct a two and one-half story extension, 30 ft. by 70 ft. in area, on the west side of the present power plant, and containing one new boiler and two new generators; that the present west wall of the power plant will be removed; that the extension will be of fireproof construction throughout and no material of a combustible nature will be used; that floors will be separated from the balance of the building by fireproof concrete walls and slabs, having a three-hour rating, and by fireproof self-closing doors; that there will be no increase in occupancy of the present building; that under Cal. No. 26-37-A the Board granted a modification to permit the omission of the standpipe system; that at that time it was proposed to install fuel oil tanks on the first story of the building; that these tanks were not installed in the space proposed to install such fuel tanks as the space is used for the storage of beer in special steel tanks; that the building will be provided with adequate exits complying in all respects with the Building Code; that all adjoining buildings are under the same ownership and are fireproof.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 2866-40, Objection No. 2, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be constructed, equipped and occupied as set forth in the statement accompanying and made part of this record and in accordance with the requirements of the resolution of the Board adopted under Cal. No. 26-37-A.

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770-40-A.

APPLICANT—Charles V. Scanlon, Executor of Estate of Sarah A. Gleason, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—10 Gansevoort street, south side, 149 ft. west of West 4th street (Block No. 627, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles V. Scanlon.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(770-40-A)

WHEREAS, Charles V. Scanlon, Executor of Estate of Sarah A. Gleason, owner, filed July 11, 1940, an appeal from an order of the fire commissioner; premises 10 Gansevoort street, south side, 149 ft. west of West 4th street (Block No. 627, Lot No. 38), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 18535-LC, dated August 7, 1939, was repeated in a decision of the fire commissioner, dated July 9, 1940, which decision reads:

"With reference to your application dated July 13th, 1939, for a permit to store combustible fibre at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

That premises are not protected by an approved fire extinguishing system, for instance, an automatic sprinkler system, Sec. C-19-149.0-C-4, Art. 26, Administrative Code.

YOU ARE, THEREFORE, HEREBY ADVISED THAT:

1. The storage of combustible fibre on these premises, in excess of one ton without a permit is prohibited by Section C 19-149.0, Art. 26, Administrative Code."

and

WHEREAS, the building is three stories (32 ft.) in height, 25 ft. by 91 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected in 1908, and occupied: cellar, storage of baled stock, no persons; first story, assorting, 6 persons; second story, storage of baled stock, no persons; third story, assorting, 4 persons; and

WHEREAS, the applicant contends that compliance with the order would necessitate an expenditure of \$2,400, which is more than one year's gross rental and would, therefore, result in a hardship to the owner.

Resolved, that the order of the fire commissioner, Order No. 18535-LC, be and it hereby is *modified* and the appeal be and it hereby is *granted*, as to Objection No. 1, on condition that there shall be installed throughout a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except the street water connection can be omitted; that all pipe fittings and hangers may be of malleable iron; that there shall be installed an inlet on the siamese on the Gansevoort street front of building; that the cap of this inlet shall be painted with aluminum and equipped with a sign, also painted with aluminum, indicating sprinkler protection; that any trap doors throughout the building shall be equipped with fusible links, and that in all other respects all laws, rules and regulations applicable as to occupancy and use shall be complied with.

771-40-A.

APPLICANT—Consolidated Edison Company of New York, Incorporated, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—117-119 West 39th street, north

side, 200 ft. west of Sixth avenue (Block No. 815, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: T. R. Eilenberg and W. A. Mellny.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(771-40-A)

WHEREAS, Consolidated Edison Company of New York, Incorporated, owner, filed July 12, 1940, an appeal from a decision of the fire commissioner; premises 117-119 West 39th street, north side, 200 ft. west of Sixth avenue (Block No. 815, Lot No. 20), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated June 27, 1940, reads:

"In reply to your request to remove the standpipe gravity tank on the roof of the above premises and maintain a dry system, you are advised that the building exceeds 85 feet in height and the system must be maintained in compliance with the Administrative Code."

and

WHEREAS, the building is five stories and sub-cellar (110 ft.) in height, 50 ft. by 98.75 ft. in area; of Class 1 construction; erected in 1915; located in a retail use district, and occupied as an electrical distributing substation; and

WHEREAS, the applicant contends that it is proposed to convert the present 4 in. wet standpipe system (fed from a 5,000-gallon wooden tank located on a steel structure above the roof and equipped with a standard siamese hose connection at street level) to a dry system; that the building houses electrical equipment and apparatus necessary for the operation of the distributing station; that all parts of the premises are fully protected by approved fire-extinguishing equipment; that the absence of a wet standpipe system in this type of occupancy is not considered a hazard; that it is therefore requested permission be granted to change the wet standpipe system to a dry system.

Resolved, that the decision of the fire commissioner, dated June 27, 1940, be and it hereby is *modified* and the appeal be and it hereby is *granted*, so as to permit the existing standpipe system to be operated as a dry system, subject to approval of the fire commissioner, on condition that a warning sign as to electrical equipment shall be placed against the building at the siamese; that the building throughout shall be protected by such fire-extinguishing equipment as the fire commissioner shall require, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

773-40-A.

APPLICANT—Edwin W. Kleinert, for Constant Motor Service Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—437-451 66th street, north side, 307 ft. east of Fourth avenue (Block No. 5827, part of Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(773-40-A)

WHEREAS, Edwin W. Kleinert, for Constant Motor Service Corporation, owner, filed July 11, 1940, an appeal from

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a decision of the borough superintendent of buildings; premises 437-451 66th street, north side, 307 ft. east of Fourth avenue (Block No. 5827, part of Lot No. 27), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1610-40, dated July 10, 1940, reads:

"1. Application contrary to Sect. 4.2.1 area of proposed public building of Class 3 construction is excessive.

2. Mezzanine floor area to be treated as a separate floor area for exit requirements in accordance with Sec. 6.1.2.2.4 because it exceeds 2500 sq. ft. and 50% of 1st floor area."

and

WHEREAS, the building will be one story (20 ft.) in height, 136 ft. by 70 ft. 4 in. in area; of Class 3 construction; located in a business use C area district; occupied: first story, bowling alleys, bar and lunch counter, 50 persons; second story, bowling alleys, 50 persons; and

WHEREAS, the applicant contends that in view of the fact that a large portion of the floor area will be occupied by bowling alleys, and that if such area were omitted the occupied area of the building would be only 4,879 sq. ft. on the first story; that 5,000 sq. ft. is permitted by section 4.2.1; that the occupied portion of the mezzanine would be 1,139 sq. ft., or less than the 2,500 sq. ft. set by section 6.1.2.2.4 of the Code; that the total occupancy of the building will be 100 persons.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 1610-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area; as to Objection No. 2, that the exits shall comply with the requirements of the Building Code as to area of building and means of exit; that an aisle shall be provided on each floor, for the full length of the alleys, not less than 4 ft. in width, so as to make access to the proposed stairway more accessible, said stairway to be constructed at westerly end of building, with exit to 66th street, such stairway to be 5 ft. in width; that the area proposed to be occupied by this building may be considered as omitted from the area covered by the resolution adopted by the Board under Cal. No. 636-20-BZ on January 4, 1921, as amended by resolution adopted by the Board on November 4, 1936.

778-40-A.

APPLICANT—William C. Stohldrier and Robert G. Zetsche, for Sheffield Farms Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—233-243 Herkimer street, north side, 305 ft. east of New York avenue (Block No. 1862, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert G. Zetsche, F. H. Rohlf and William C. Stohldrier.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative: Deputy Chief Gunn 1

THE RESOLUTION—

(778-40-A)

WHEREAS, William C. Stohldrier and Robert G. Zetsche, for Sheffield Farms Company, Incorporated, owner, filed July 12, 1940, an appeal from an order and a decision of the fire commissioner; premises 233-243 Herkimer street, north side, 305 ft. east of New York avenue (Block No. 1862, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No.

4851-LF, dated May 15, 1940, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19.161.0 A.C."

and

WHEREAS, the decision of the fire commissioner, dated June 14, 1940, reads:

"Your letter of June 3, acknowledging receipt of our Order No. 4851-LF affecting the above-mentioned premises, has been received, and we note your request for further information as to what is called for in Item 1 on this order. In response, you may be informed that a fixed fire extinguishing system may be either an automatic sprinkler system or a standpipe system which has been approved for fire extinguishing purposes by the Board of Standards and Appeals. This order has been issued in view of the fact that there are a large number of horses housed in the premises and there is also a considerable quantity of hay stored. In view of these conditions, no modification may be made. However, if you consider the requirement a hardship, you have the opportunity of filing an appeal with the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the building is four stories (60 ft.) in height, 107 ft. by 100 ft. in area; of Class 1 construction; located in an unrestricted use district; erected in 1911, and occupied: cellar and first story, wagon storage; second and third stories, stable for more than five (5) horses; fourth story, stable for five (5) horses, blacksmith shop, harness room and storage of baled hay; and

WHEREAS, the applicant contends that the installation of a standpipe system would impose an unnecessary hardship on the owner; that the hay stored is located on the fourth story, in a separate room, protected by fireproof partition and doors; that the hay is baled; that the storage of hay is incidental to the business of stabling conducted on the premises; that there is an existing permit for the storage of hay; that the building is fireproof; that the floor area is less than 10,000 sq. ft. net; that the stairway, ramps and elevators are protected by fireproof walls and fireproof self-closing doors; that the horse stall partitions are concrete with the exception of a few on the top story, which are of wood; that horizontal exits have been provided above the basement floor to the adjoining building in rear under the same ownership; that there are fire hose connections at the front and rear of the building on every story; that the building to the west is a fire house; that it is the intention to alter the building into a garage and, therefore, a modification of the order is requested.

Resolved, that the order of the fire commissioner, Order No. 4851-LF, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the hay stored shall be in bales and opened only for immediate requirements, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the requirements of Violation No. 2178-40 of the borough superintendent of buildings shall be complied with; that this variation shall continue only so long as the building is continued as set forth, and in the event the building is altered to garage purposes, same shall comply with all laws, rules and regulations applicable for such use, and, further, *granted* only so long as the building is occupied as a whole by the Sheffield Farms Company, Incorporated, or their successors in the same line of business.

779-40-A.

APPLICANT—Henry Bergh, for Henry Bergh, et al., owners.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1-4 Chatham square and 2 Mott street, northwest corner (Block No. 162, Lot No. 1), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: Henry Bergh.
For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(779-40-A)

WHEREAS, Henry Bergh, for Henry Bergh, et al., owners, owners, filed July 12, 1940, an appeal from a decision of the fire commissioner; premises 1-4 Chatham square and 2 Mott street, northwest corner (Block No. 162, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated July 12, 1940, reads:

"Replying to your inquiry of July 12, 1940, in which you propose to install Edison Type S.D.4 open circuit thermostatic devices in premises: 1-4 Chatham Square, Borough of Manhattan, you are advised that a search of our records fails to show that this device has been approved by the Board of Standards and Appeals for use in New York City.

In view of the above, your request must be denied."

and

WHEREAS, the building is five stories (60 ft.) in height, 69.5 ft. by 58.8 ft. in area; of Class 3 construction; located in an unrestricted use district; erected prior to 1890, and occupied: cellar, storage of hardware, no persons; first story, stores, 25 persons; second to fifth stories, inclusive, lodging house, 13, 39, 48 and 48 persons, respectively, pursuant to Certificate of Occupancy No. 24841 issued June 19, 1939; and

WHEREAS, the applicant contends that the detectors of the automatic fire alarm system now installed in cellar are affected by dampness; that in order to overcome this difficulty it is proposed to use Edison Type SF-4 open circuit thermostats, rated at 135 degrees Fahrenheit, which have been approved by the Underwriters' Laboratories for a 15 ft. spacing; that due to the dampness of the cellar of the building, the ordinary type thermostat, which have been approved by the Fire Department, have proved unsatisfactory; that it is requested approval be given to install the Edison Type SF-4 open circuit thermostat in this specific location.

Resolved, that the decision of the fire commissioner, dated July 12, 1940, be and it hereby is affirmed and that the appeal be and it hereby is denied.

780-40-A.

APPLICANT—R. H. Shreve, for Shreve, Lamb and Harmon, for Insurance Company of North America, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—28-36 Gold street, east side, from John street to Cliff street, 91-101 John street and 1-21 Cliff street (Block No. 76, Lot Nos. 10, 11, 19 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: H. C. Bernhardt.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(780-40-A)

WHEREAS, R. H. Shreve, for Shreve, Lamb and Harmon, for Insurance Company of North America, owner, filed July 12, 1940, an appeal from a decision of the borough superintendent of buildings; premises 28-36 Gold street, east side,

from John street to Cliff street, 91-101 John street and 1-21 Cliff street (Block No. 76, Lot Nos. 10, 11, 19 and 22), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2136-40, dated July 10, 1940, reads:

"1. Windows facing on Gold Street and Ryders Alley must comply with requirements of Sect. 10.7.1 Building Code as to fire resistive rating and automatic type.

2. Doors on lobby must be fireproof self-closing type with not more than 720 sq. ft. of wire glass. Sect. 6.3.1 sub.div. C 1. B.C."

and

WHEREAS, the proposed addition will be 99 ft. 2½ in. by 80 ft. 9¾ in. in area, four stories, basement and pent house (50 ft.) in height; of Class 1 construction; located in an unrestricted use district; equipped with a sprinkler system in the basement, and occupied throughout for offices; and

WHEREAS, the existing building will be altered and a new four-story pent house addition constructed as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that, as to Objection No. 1, it is proposed to install a ¼ in. clear polished plate glass in steel frames without dividing muntins and with self-closing devices, as to fourth story, on the Gold street front, and on the first story on Ryders Alley; that the windows from the second to fourth story, inclusive, will meet the requirements of the Code; that the special facade of the National Board of Fire Underwriters Building, 23 ft. across Gold street, involves no risk in view of the precautions taken in said building against the spread of fire; that the use of automatic type of windows with muntins would have the effect of reducing the rental value of the floors and would not be in harmony with the existing building known as 99 John street; that as to Objection No. 2, it is proposed to install a two-leaf self-closing aluminum doors, with ¼ in. clear polished plate glass panels, similar to the existing doors in 99 John street; that permission is respectfully requested to permit the matching of the new work with the existing work, for reasons of architectural harmony, and for the additional reason that solid doors with small wire glass panels would reduce the rental value of the first story area and would impose an unnecessary hardship on the owners.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 2136-40, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that all windows facing on Gold street that are less than 30 ft. in a horizontal direction from any building on the opposite side of Gold street shall be constructed of steel frame and sash and glazed with ¼ in. polished plate glass; that as to windows facing on Ryders Alley, all windows above the first story shall comply with the requirements therefor, and that on the first story the windows shall be of steel frames and sash and glazed with polished plate glass not less than ¼ in. thick; as to Objection No. 2, the doors of the proposed opening in the lobby may be constructed as proposed, of heavy extruded aluminum with an additional cross-rail not less than 3 in. wide at an approximate height of the push bars, and glazed with polished wire plate glass not less than ¼ in. in thickness; that in all other respects all laws, rules and regulations applying to the occupancy and construction of this building shall be complied with other than as modified by the Board under Cal. Nos. 199-28-A, 105-32-A and 627-32-A, and granted only so long as this building is occupied for office use only.

NOTICE.

The remaining minutes of the recessed meeting of July 10, 1940, will be printed in the Bulletin of July 30, 1940.

JOSEPH J. DOYLE, Chief Clerk

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Court Decision.

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The Hearing Calendar.

Remaining Minutes of Recessed Meeting July 16, 1940,
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CALENDAR

DOCKET.

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813-40-A.....H.B.R.....185 Sand lane, east side, 32 ft. south of Cedar avenue (Block No. 3110, Lot No. 56), South Beach, Borough of Richmond.
B.N. 514-40.

814-40-SM.....Reed Leak-Pruf Coated Card-board Oil Container, manufactured by Reed Container Sales Corporation, Material.

815-40-A.....H.B.R.....North side of Willow avenue, 614 ft. west of Bay street (Block No. 2841, Lot No. 91), Stapleton, Borough of Richmond.
Decision.

816-40-BZ....H.B.Bx...2071-2109 White Plains road, west side, from Brady avenue to Maran place, 609-615 Brady avenue and 620-628 Maran place (Block No. 4286, Lot Nos. 1, 54 and 50), Borough of The Bronx,
Decision—re Certificate of Occupancy.

817-40-A.....H.B.M....441 West 40th street, north side, 310 ft. east of Tenth avenue (Block No. 1050, Lot No. 13), Borough of Manhattan,
Decision—re Certificate of Occupancy.

818-40-BZ....H.B.M....1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan,
Decision—re Certificate of Occupancy.

819-40-BZ....H.B.M....1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan,
Decision—re Certificate of Occupancy.

820-40-BZ....H.B.M....646-652 East 12th street, south side, 83 ft. west of Avenue C (Block No. 394, Lot Nos. 32

to 35, inclusive), Borough of Manhattan,
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821-40-A.....F.D.....436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan,
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822-40-SM.....Du Pont Fire Retardants "T" and "CM" Ammonium Sulphamate, manufactured by E. I. duPont de Nemours and Company, Incorporated,
Material.

823-40-SA.....Eagle Fire Alarm Panel, Eagle Fire Alarm Break Glass Station and Eagle Fire Alarm Signal Bell, Appliance.

824-40-A.....H.B.B....1992 East 16th street, west side, 34 ft. 5 in. north of Avenue T, and 1996 East 16th street, northwest corner of Avenue T (Block No. 7294, part of Lot No. 8), Borough of Brooklyn,
Viol. Orders 2533-40 and 2534-40 and Decision.

825-40-SM.....Protexol Fireproofed Wood, manufactured by Protexol Corporation, Material.

826-40-BZ....H.B.Q....40-71 Hampton street, north side, 100 ft. west of Britton avenue (Block No. 1504, Lot No. 148), Elmhurst, Borough of Queens,
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827-40-BZ....H.B.M....44-46 Spring street and 206-212 Mulberry street, southeast corner (Block No. 480, Lot Nos. 14 to 17, inclusive), Borough of Manhattan,
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828-40-BZ....H.B.Bx...Northeast corner of White Plains road and East 236th street (Block No. 5043, Lot No. 6) Borough of The Bronx,
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829-40-SM.....Auto-Motor Heater, manufactured by Auto-Motor Heater Company, Material.

CALENDAR

830-40-BZ....H.B.M....105 East 48th street, north side,
150 ft. east of Park avenue,
and 110 East 49th street
(Block No. 1303, Lot No. 6),
Borough of Manhattan,
Decision—re Certificate of
Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

COURT DECISION.

Matter of Barr (Murdock)—On June 8, 1937, Board affirmed deci-
sion of superintendent of buildings in permitting erection
of an apartment house in an "F" area district and accept-
ing connections to former private sewer (subsequently
taken over by city and connected to Sheepshead Bay public
sewer) as compliance with the law, also denied application
for revocation of permit Cal. No. 232-37-A, premises 301-
323 Oriental boulevard, Manhattan Beach, Borough of
Brooklyn, on the ground that the zoning law does not
prohibit erection of an apartment house in an "F" area
district where the restrictive requirements are complied
with, and that the sewer connections provided complied
with the Multiple Dwelling Law as to street sewer. Mr.
Justice Smith sustained Board (N.Y.L.J. December 8, 1938).
Appellate Division affirmed order of Special Term up-
holding decision of Board (July 8, 1939). Court of Ap-
peals affirmed order of Special Term. No opinion. (N.Y.
L.J. July 25, 1940).

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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

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Vacuum Breakers	May 28, 1940—Vol. 25, No. 22

ADJOURNMENT.

Notice is hereby given that the next regular meeting of
the Board of Standards and Appeals will be held on Tues-
day, September 10, 1940, at 10 A.M.

SEPTEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, Tuesday morning, September
10, 1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 210-40-BZ—Application, February 27, 1940, under
section 21 of the building zone resolu-
tion, of John D. Connaughton, appli-
cant, on behalf of Cristina Pelizzari,
owner, to permit in a residence use dis-
trict the alteration and conversion of
occupancy of part of the basement story
of an existing dwelling to business use
(store); premises 609 Thwaites place,
north side, 37.05 ft. west of Olinville
avenue (Block No. 4342, Lot No. 47),
Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, appli-
cant, on behalf of Veronica Kambourian,
owner, reopened January 3, 1939, under
sections 7c and 21 of the building zone
resolution, to permit in a business use
district the reconstruction and extension
of a gasoline service station (previously
granted by the Board); premises 58-02
to 58-06 Laurel Hill boulevard and 51-
01 to 51-05 58th street, southeast corner
(Block No. 2342, Lot Nos. 8, 9 and 10
and parts of Lot Nos. 6 and 7), Wood-
side, Borough of Queens.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sec-
tion 21 of the building zone resolution,
of William F. Regan, applicant, on be-
half of William F. Regan, owner, to
permit in a business use district the
erection and maintenance of a gasoline
service station; premises 1000-1012
Brooklyn avenue and 3522-3524 Snyder
avenue, southwest corner (Block No.
4906, Lot Nos. 9 and 10), Borough of
Brooklyn.

CAL. NO. 137-40-BZ—Application, February 2, 1940, under
section 7c of the building zone resolu-

CALENDAR

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

tion, of Joseph B. Lynch, applicant, on behalf of Hill Holding Corporation, owner (Crescent Auto Service, lessee), to permit, partly in a business use district and partly in a residence use district, the extension in area of an accessory building on an existing gasoline service station; premises 148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens.

CAL. NO. 514-40-BZ—Application, May 14, 1940, under sections 21, 7b and 7c of the building zone resolution, of Salomon A. Hauptman, applicant, on behalf of Estate of Giuseppe Giambalvo, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 670 Bushwick avenue and 921-931 Wiloughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

CAL. NO. 80-40-BZ—Application, January 24, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Dot Mort Holding Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2900-2926 Olinville avenue, 678 Wilgus street, southeast corner, and 679 Arnow avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

CAL. NO. 456-40-BZ—Application, April 29, 1940, under sections 7a, 7c, 7e and 21 of the building zone resolution, of William Shary, applicant, on behalf of City Bank Farmers Trust Company, trustee, under will of Thomas Dimond, owner, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 295-40-BZ—Application, March 21, 1940, under section 7c of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the maintenance of business use (restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, ap-

CALENDAR

plicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

mit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 18-40-BZ—Application, January 6, 1940, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Margaret Murgolo, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to per-

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
- 502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.
- 618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.
- 737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.
- 750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.
- 783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.
- 704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.
- 784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.
- 794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 85½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

- CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.
- CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.
- CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

- CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-1 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

CONTINUATION OF RECESSED MEETING
OF JULY 16, 1940.

782-40-A.

APPLICANT—Reginald S. Hardy, for 126-08 Northern Boulevard Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—126-02 to 126-08 Northern boulevard, 33-01 126th street, southeast corner, and 126-01 34th avenue (Block No. 1820, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(782-40-A)

WHEREAS, Reginald S. Hardy, for 126-08 Northern Boulevard Corporation, owner, filed July 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 126-02 to 126-08 Northern boulevard, 33-01 126th street, southeast corner, and 126-01 34th avenue (Block No. 1820, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 592-1939, dated July 2, 1940, reads:

"1. The erection of a gasoline selling station within a business district is contrary to Art. 2, Sec. 4, Subdiv. 46 of the Building Zone Resolution."

and

WHEREAS, the building is one story (18 ft.) in height, 105.39 ft. by 130.78 ft. in area; of Class 3 construction; erected in 1928; located in a business use C area district, and occupied as a storage garage for more than five (5) motor vehicles and a gasoline storage and supply system; it is proposed to occupy the building as a garage for more than five (5) motor vehicles and a gasoline service station; and

WHEREAS, the applicant contends that the premises in question were improved at a time when they were in an unrestricted area; that the building now on these premises has been used since prior to the rezoning thereof for a garage for the storage of more than five (5) motor vehicles with a gasoline storage supply system; that the present alterations constitute less than 50 per cent. of the value of the structure, exclusive of foundations, and since no new use is to be introduced into the property, it is contended that the owner should be permitted to alter the building as applied for pursuant to section 6 of the building zone resolution; and

WHEREAS, the record shows that this building was erected in 1929 in an unrestricted use district and approved as a storage garage; permits were regularly issued for the storage of gasoline in two 550-gallon tanks, located within the building; it is well understood that a garage if erected in a zone where permitted may have gasoline stored as an accessory to the garage; the Administrative Code distinguishes between a storage garage (a garage where gasoline is stored) and a non-storage garage where no gasoline is stored; by custom, if not by right, a garage where legally permitted in a proper zone may have such storage of gasoline as an accessory to the garage; and

WHEREAS, the zoning of the area was changed in 1937, so that the garage use with its accessory gasoline storage within the building now is a non-conforming use in a business use district; under Cal. No. 387 of 1939-BZ an application was denied for alteration to the building so as to provide what was termed a drive-in gasoline station; the alteration proposed would have reduced the garage area by the space proposed for the gasoline service station with its accessory uses of greasing, washing, etc.; and

WHEREAS, the applicant in this present appeal, 782-40-A, seeks a determination under section 6 as amended as to the correctness of the renewed decision of the borough superintendent of buildings on the same application filed with him, namely, Alteration Application No. 592 of 1939; this objection of July 2, 1940, repeating a similar objection of March 4, 1940, reads:

"The erection of a gasoline selling station within a business district is contrary to Article II, section 4, subdivision 46, of the Building Zone Resolution."

and

WHEREAS, under this section, a garage for more than five (5) cars is listed as a prohibitive use in a business use district, in subdivision 15, clearly indicating that a garage use even with the accessory storage of gasoline is a separate and distinct use from a gasoline station; the Board has consistently held this; in the report of the Board in Cal. No. 133 of 1936-A, which was reviewed by the Court in *Powell Garage Company, Incorporated, vs. Murdock*, the Board stated in part: "A gasoline service station as such was practically unknown in 1916. Gasoline was then sold in garages as an accessory use. Subsequently, a gasoline service station became a distinct use and in 1925 the building zone resolution was amended to include a gasoline service station among the uses prohibited in a business use district." Section 6 of the building zone resolution, since the amendment of June 28, 1940, no longer permits a use prohibited in a business use district to be substituted for another use prohibited in a business use district; and

WHEREAS, the applicant claims that the alteration proposed constitutes less than 50 per cent. of the value of the building exclusive of foundations; this is immaterial since the alteration involves the introduction of a new use, that of a gasoline selling station which while proposed to be included within the confines of the present building is so located across the front of the building on Northern boulevard with the proposed accessory uses commonly found in a gasoline service station of greasing and washing cars as to be readily classified as a separate new use of the premises, with the remaining portion of the building used as a garage for more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 592-39, Objection No. 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

785-40-A.

APPLICANT—Murray R. Paris, for Cardinale Macaroni Manufacturing Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—46-55 to 46-59 Metropolitan avenue, north side, 522 ft. east of Newtown Creek (Block No. 2611, Lot Nos. 203 and 206), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Murray R. Paris, Michael Augusta and Andrew Cardinale.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(785-40-A)

WHEREAS, Murray R. Paris, for Cardinale Macaroni Manufacturing Company, Incorporated, owner, filed July 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 46-55 to 46-59 Metropolitan avenue, north side, 522 ft. east of Newtown Creek (Block No. 2611, Lot Nos. 203 and 206), Maspeth, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4808-LF, dated May 9, 1940, reads:

"Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19.161.0 Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 17, 1940, which reads:

"This will acknowledge receipt of your communication of June 11, 1940, with respect to Order No. 4808-LF affecting the above-mentioned premises, and we note that you intend to file an appeal with the Board of Standards and Appeals. Your request for a reissuance of this order is denied for the reason that it is not the policy of this department to reissue orders."

In answer to your inquiry as to what is intended for a fire extinguishing system satisfactory to the Fire Commissioner, you are advised that any type of automatic sprinkler system or standpipe system approved by the Board of Standards and Appeals after the necessary plans have been filed and approved with the Dept. of Housing and Buildings."

and

WHEREAS, the building is four stories (56 ft. 10 in.) in height, 99 ft. 4 in. by 86 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected in 1925; enlarged in 1936, and occupied: cellar, boiler-room, no persons; first story, office, manufacturing of macaroni and three-car garage, 14 persons; second story, packing of macaroni, 10 persons; third story, drying macaroni, 1 person; fourth story, drying macaroni, 1 person; and

WHEREAS, the applicant contends that there is no real necessity for the order requiring the installation of a fixed fire extinguishing system (Waldo vs. Christman, 72 Misc. Rep. 349, 130 N.Y.S. 260); that a certificate of occupancy was issued on October 22, 1937, certified that the building complies with the requirements of the Building Code and all other laws and ordinances applicable; that the said certificate bears a certification that the provisions of the charter have been complied with, as certified by a report of the fire commissioner to the borough superintendent of buildings; that other macaroni manufacturing concerns have not been required to furnish fixed fire extinguishing systems; that an unnecessary hardship will result from the enforcement of the order; that in the matter of People vs. Walsh, 244 N.Y. 280, it was held that the discretion of the Board should be exercised to avoid imposing an unnecessary hardship; that the general welfare and safety of the employees may be enhanced by a variation of the order requiring a fixed fire extinguishing system; that the materials manufactured on the premises do not lend themselves to combustion, inflammability or fire; that the premises are equipped with water buckets conveniently located throughout the building; that additional fire extinguishing equipment will be installed as required by the Board.

Resolved, that the order of the fire commissioner, Order No. 4808-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed on the first story in the area where flour in bags is stored individual sprinkler heads located as approved by the fire commissioner; that such sprinkler heads may be fed from the domestic water supply of the building; that

such flour bags shall not be stacked within 4 ft. of the ceiling; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

786-40-A.

APPLICANT—Sussex Park Homes, Incorporated, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—72-04, 72-08, 72-12, 72-16, 72-20, 72-24, 72-28 and 72-32 Hollis Court boulevard, southwest corner of Richland avenue (Block No. 7226, part of Lot No. 140), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Morris.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(786-40-A)

WHEREAS, Sussex Park Homes, Incorporated, owner, filed July 15, 1940, an appeal from a decision of the borough superintendent of buildings; premises 72-04, 72-08, 72-12, 72-16, 72-20, 72-24, 72-28 and 72-32 Hollis Court boulevard, southwest corner of Richland avenue (Block No. 7226, part of Lot No. 140), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4513 to 4520-1940, inclusive, dated July 10, 1940, reads:

"Proposed construction is within area of proceeding to acquire title for park authorized May 2, 1940."

and

WHEREAS, the premises are located in a residence use E area district and consist of a plot fronting 370 ft. on the west side of Hollis Court boulevard and 100 ft. on the south side of Richland avenue; it is proposed to subdivide the plot into eight separate lots and to erect on each lot a one-family dwelling, of Class 4 construction; and

WHEREAS, the applicant contends that it is not within the jurisdiction of the borough superintendent of buildings to refuse permits on the grounds specified; that the site does not lie within the bed of any proposed street or highway and therefore the decision of the borough superintendent of buildings cannot be predicated on section 35 of the General City Law; that the denial of the permits creates a hardship and would result in substantial financial loss to the owner.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application Nos. 4513 to 4520-40, inclusive, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

787-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—173-03, 173-07 and 173-11 Fairchild avenue, northeast corner of Fresh Meadow lane (Block No. 5587, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stern.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(787-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 15, 1940, an appeal from a decision of the borough superintendent of buildings; premises 173-03, 173-07 and 173-11 Fairchild avenue, northeast corner of Fresh Meadow lane (Block No. 5587, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4558, 4559 and 4560-40, dated July 11, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 118.6 ft. on Fairchild avenue and 100.02 ft. on Fresh Meadow lane; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 18 ft. in height and 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwelling to be located on the northeast corner of Fresh Meadow lane and Fairchild avenue will be set back approximately 5 ft. from Fresh Meadow lane; all of the dwellings will have 9 ft. 6 in. side yards on the east and 5 ft. side yards on the west and will be set back from Fairchild avenue for a distance of 15 ft.; the garages will be located 1 ft. from the side and rear lot lines; the dwellings will be surfaced on the exterior with brick veneer for the first story and the roofs will be surfaced with approved asphalt shingles; the garages will be either brick veneer to harmonize with the dwellings or of masonry construction as desired by the purchaser; and

WHEREAS, the applicant contends that he has already commenced construction of 166 houses in the immediate vicinity; that the proposed dwellings will be in harmony with the entire development; that the construction of solid brick dwellings would not be justified by the possible sales in this area.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 4558, 4559 and 4560-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed; that in all other respects the buildings shall comply with the requirements for similar buildings erected outside the fire limits; that the garage shall be used solely as accessory to the single family residence use on each lot; that the gables of the garages where facing interior lot lines shall be protected with construction of incombustible materials.

788-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—173-04, 173-08 and 173-12 Fairchild avenue, southeast corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(788-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 15, 1940, an appeal from a decision of the borough superintendent of buildings; premises 173-04, 173-08 and 173-12 Fairchild avenue, southeast corner of Fresh Meadow lane (Block No. 5587, Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4555, 4556 and 4557-40, dated July 11, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 183.22 ft. on Fairchild avenue and 100.02 ft. on Fresh Meadow lane; it is proposed to subdivide the plot into three separate lots and to erect on each of the two lots, located within 80.40 ft. of Fresh Meadow lane, a one-story one-family frame dwelling, 18 ft. in height and 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back 15 ft. from Fairchild avenue; the third dwelling to be located on the portion of the premises within 40.90 ft. of Fresh Meadow lane will be set back approximately 6 ft. from Fresh Meadow lane and will have an 8 ft. side yard on the easterly side; the dwellings to be located 40.90 ft. east of Fresh Meadow lane will have 9 ft. 6 in. side yards on the west and 5 ft. side yards on the east; the garage to be located on the plot within 40.90 ft. of Fresh Meadow lane will be located 1 ft. from the side and rear lot lines; the garage to be located on the plot 40.90 ft. east of Fresh Meadow lane will be located 1 ft. from the side lot line and not less than 1 ft. from the rear lot line; it is also proposed to erect on the portion of the premises 80.40 ft. east of Fresh Meadow lane a one and one-half story frame one-family dwelling and attached garage, 49 ft. by 25 ft. in area; this dwelling will be set back 12 ft. from Fairchild avenue, into which setback front entrance will project for approximately 5 ft., and will have a 5 ft. side yard on the west located not less than 1 ft. 5 in. from the rear lot line; all of the dwellings will be surfaced on the exterior with brick veneer for the first story and the roofs will be surfaced with approved asphalt shingles; the garages will be surfaced on the exterior to the plate line with brick veneer or will be of masonry construction with approved roof surfacing.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 4555, 4556 and 4557-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed; that in all other respects the buildings shall comply with the requirements for similar buildings erected outside the fire limits; that the garage shall be used solely as accessory to the single family residence use on each lot; that the gables of the garages where facing interior lot lines shall be protected with construction of incombustible materials.

792-40-A.

APPLICANT—Hotel Research Laboratories, Incorporated, for Standard National Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1431 Webster avenue, west side, 347 ft. south of East 171st street (Block No. 2887, Lot No. 88), Borough of The Bronx.

APPEARANCES—

For Applicant: George St. Laurent and Marion St. Laurent.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

MINUTES

Savage and Blum and Deputy Chief Gunn 4
Negative 0
THE RESOLUTION—
(792-40-A)

WHEREAS, Hotel Research Laboratories, Incorporated, for Standard National Corporation, owner, filed July 16, 1940, an appeal from an order and a decision of the fire commissioner; premises 1431 Webster avenue, west side, 347 ft. south of East 171st street (Block No. 2887, Lot No. 88), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, Order No. 20358-LC, dated January 5, 1940, reads:

"Before a permit may be issued to manufacture an inflammable mixture, the following must be done:

1. Either show that the premises No. 1431 Webster Avenue is a separate and independent building and not part of a taxpayer group in which there are other occupancies, such as paint manufacture and oil storage

OR

Discontinue the manufacture of an inflammable mixture on these premises. Section C19-59.0-B-6 of the Administrative Code.

If premises should be a separate and independent building the following must be done before permit may be issued:

1. Provide an approved buried storage system for pyroxylin solution.

2. Place the mixing tank in a compartment built on suitable foundation, having the walls, floor and roof construction of Portland cement concrete at least six inches thick, or of brick masonry at least eight inches thick, the brick to be laid in and covered by Portland cement mortar.

3. Equip mixing compartment with self-closing fire-proof doors and windows.

5. Equip compartment in which the mixing tank is located with a ventilating flue constructed of brick or concrete, lined with tiled pipe at least 8 inches square, inside measurements, and extending from the floor of the compartment at a point opposite the door to at least six feet above the highest point of the roof, and at least ten feet from the nearest wall of any adjoining building. Such flue shall have an opening into the mixing compartment six inches square, three inches above the floor, and shall be equipped with a double gooseneck 8 inches square, made of at least 18 gauge galvanized iron and all openings to be covered with 20 mesh brass wire screens.

7. Submit sample of label bearing the name and the address of the manufacturer and in large letters the words, 'CAUTION INFLAMMABLE MIXTURE' 'DO NOT USE NEAR FIRE OR FLAME.'

and

WHEREAS, this order was referred to in a decision of the fire commissioner, dated July 12, 1940; and

WHEREAS, the building is one story (20 ft.) in height, 25 ft. by 48 ft. in area; of Class 3 construction; located in a business use B area district; erected in 1931, and occupied: first story, filling of tin cans with chemical, covering and packing same, one person; and

WHEREAS, the applicant contends that the business is very small; that the business only employs one part-time employee; that a solid rock wall adjoins the rear of the building; that no other buildings are located nearby; that no mixing is done on the premises; that the building has adequate ventilation; that to comply with the order would be a hardship.

Resolved, that the order of the fire commissioner, Order No. 20358-LC, be and it hereby is *modified* and the appeal, as to Objection No. 1 and alternating Objections Nos. 1, 2, 3, 5 and 7, be and it hereby is *granted on condition* that the closing walls of this section of building shall be fire-stopped by masonry to the underneath side of the roof boards continuously from front to rear; that at the rear, one of the windows shall be altered to a door to supply second means

of exit to rear yard; that the storage and manufacturing operations shall be maintained to the satisfaction of the fire commissioner; that the label on the packages shall read: "Caution—Inflammable Mixture—Do Not Store in Vicinity of Fire or Open Flame", and that such fire-fighting equipment shall be installed as the fire commissioner shall direct.

793-40-A.

APPLICANT—Julius Alsberg, lessee, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Alsberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(793-40-A)

WHEREAS, Julius Alsberg, lessee, for Central Hanover Bank and Trust Company, owner, filed July 16, 1940, an appeal from an order of the fire commissioner; premises 56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 22475-LC, dated June 24, 1940, reads:

"2. Discontinue the storage of liquefied chlorine on these premises."

and

WHEREAS, the building is nine stories (121 ft. 1½ in.) in height, 25 ft. by 89 ft. in area; of Class 1 construction; located in a business use B area district; erected in 1899; equipped with a sprinkler system in the basement, and occupied: cellar, boiler-room and lumber storage, no persons; first story, lumber cutting, office and shop, 2 persons; second story, manufacture of picture frames, 3 persons; third story, manufacture of mops, 2 persons; fourth story, manufacture of extract, 1 person; fifth story, vacant; sixth story, rubber and cosmetic manufacturing, 3 persons; seventh story, printing, 5 persons; eighth story, experimental and chemical research, 2 persons; ninth story, vacant; and

WHEREAS, the applicant contends that only small quantities of liquefied chlorine gas are employed in the chemical research; that although the law permits the use and storage of chlorine gas on the first story, it would be a hardship to store above the first story, as he would have to rent the entire building, which is beyond the means of the applicant.

Resolved, that the order of the fire commissioner, Order No. 22475-LC, Item No. 2, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the liquid chlorine to be stored shall not exceed two (2) pounds in an eight-pound container; that such container shall be attached at the south side of the exterior of building in a substantial metal jacket and held in place by proper iron bracing, to the satisfaction of the fire commissioner; that the piping therefrom to interior of the building shall contain a control valve; that the use of such chlorine shall at all times be under the control of a graduate chemist holding a certificate of fitness from the Fire Department; that such chlorine shall only be used in connection with the normal work of the chemist's laboratory, and that a sufficient quantity of caustic solution shall be stored nearby for use in the event of a leak.

1101-39-A.

APPLICANT—Robert M. Byers, for Arnold W. Sherman, owner.

MINUTES

SUBJECT—Application reopened and restored to Calendar April 16, 1940—re Appeal from a decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings (previously withdrawn).

PREMISES AFFECTED—597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert M. Byers.

For Administration: William Bolnick, Department of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of jurisdiction; motion to make a recommendation to the deputy commissioner of the Department of Housing and Buildings carried.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE VOTE TO MAKE A RECOMMENDATION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1101-39-A)

WHEREAS, Robert M. Byers, for Arnold W. Sherman, owner, filed September 5, 1939, an appeal from a decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings; premises 597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, dated August 29, 1939, reads:

"This will acknowledge receipt of your communication of August 23rd with reference to the classification of the above premises.

You are advised that this building is recorded in this Division as an Old Law Tenement and has been recorded as such since January 23, 1923 at which time the then Second Deputy Commissioner, George W. Lindsey, classified the building as an Old Law Tenement on affidavits submitted by the owner to the effect that the building was occupied as a tenement prior to April 10th, 1901.

Under the circumstances your request for a change of classification is hereby denied."

and

WHEREAS, on October 10, 1939, the application was withdrawn by the applicant so as to take the matter up with the Department and to show the evidence which was submitted in support of the appeal; and

WHEREAS, on April 6, 1940, an application was received to reopen and restore this appeal to the Calendar on the grounds that the matter had been submitted to the Department of Housing and Buildings and that the Department denied the application to change the classification of the building; and

WHEREAS, on April 16, 1940, the application was reopened subject to the usual procedure; and

WHEREAS, the building is four stories and attic (43 ft.) in height, 20 ft. by 100 ft. in area at first story and 20 ft. by 52 ft. in area at typical floor level; of Class 3 construction; located in a business use district; erected about 1880, and occupied: first story, stores; second story, three-room apartment and office; third story, one family; fourth story, one family; and

WHEREAS, the applicant contends that the building is classified in the Division of Housing as "an old law tenement"; that the building is a converted dwelling; that Alteration Application No. 463-09 was filed to convert the dwelling from a one-family to a two-family occupancy; that the building was classified as "an old law tenement" on an affidavit which has since been destroyed; and

WHEREAS, the applicant has submitted in support of his

contention a survey of the premises made by Louis W. Reuter, Jr., City Surveyor (Exhibit A), and contends that this survey shows a continuous line indicating old front and rear walls of what was originally a typical one-family three-story and basement dwelling, and calls the Board's attention to the continuation of the front and rear walls in a westerly direction forming a front and rear walls of the property immediately on the west; and

WHEREAS, the applicant filed in support of his contention a photograph (Exhibit B) of the building in question and contends that said photograph shows all the characteristics of an original one-family three-story and basement dwelling; and

WHEREAS, the applicant filed a copy of a letter dated January 4, 1923, addressed to the Title Guaranty and Trust Company by the Tenement House Department (Exhibit D), wherein it is stated that the building is not on record as a tenement house but that it is now (1923) legally occupied as such; that a violation filed July 22, 1915, in the Department indicated that the building was converted from a non-tenement to a tenement house without having plans and application filed and approved; and

WHEREAS, the applicant has filed an affidavit signed by Samuel F. Whiteside (Exhibit E) wherein it is stated that a search of the records of the Department of Water Supply, Gas and Electricity indicated that the building was occupied as a one-family dwelling from 1905 to 1909, and that in 1909 the building was changed to two families and barber shop; and

WHEREAS, the applicant states that an examination of the records of the Division of Housing indicates that under Alteration Permit No. 463-09 the building was changed from a one-family dwelling to two-family dwelling and two stores, and that this alteration was signed off as completed May 25, 1909, by an inspector of the Department; and

WHEREAS, the applicant has filed in support of his contention a photostatic copy of a report of an examiner employed by Lawyers Title Insurance and Trust Company dated December 29, 1908, indicating the use of the dwelling as one family; and

WHEREAS, the applicant has filed in support of his contention an affidavit signed by Leo Netter (Exhibit H) indicating that the building was occupied on December 29, 1915, as a one-family dwelling; and

WHEREAS, the applicant has filed in support of his contention a photostatic copy of examiner's report made to the Lawyers Mortgage Company dated December 16, 1922, wherein it is stated that the building is occupied by three families and stores; and

WHEREAS, the applicant has filed in support of his contention an affidavit made by Raphael Glucroft (Exhibit J), wherein it is stated that in 1909 the premises were arranged to be occupied as a one-family house, and that a permit was issued on deponent's application to alter the premises to a two-family occupancy; and

WHEREAS, the applicant has filed in support of his contention an affidavit made by Robert M. Byers (Exhibit K), wherein it is stated that he caused a search of the records to be made and found that on January 23, 1923, and for a short time thereafter, one Morris Epstein was the owner of the building in question; that the building was classified on an affidavit made by said owner to the effect that the building was occupied as a tenement prior to April 10, 1901; that the said Morris Epstein stated to the deponent that he was a native of Poland and had come to this country for the first time not earlier than 1904; that obviously any affidavit as to the occupancy of the building prior to 1904 made by the said Morris Epstein would be a statement of facts, of which he had no knowledge and therefore was valueless as a basis of classification of the building; and

WHEREAS, the applicant contends that the classification of the building as an old law tenement was not determined from inspection but by the affidavit of the then owner, which procedure was not authorized by the Tenement House Law; and

MINUTES

WHEREAS, the applicant requests the Board to determine the classification of the building as a converted dwelling; and

WHEREAS, it is the opinion of the Board, from the record submitted, that the building was occupied by three (3) families for the first time in 1922 and so occupied continuously thereafter until 1929 or later, that same can only be classified as a new law tenement.

Resolved, that the Board does hereby *recommend* to the deputy commissioner, Department of Housing and Buildings, that the building be classified as a new law tenement, altered to such use since 1901.

109-40-A.

APPLICANT—Sidney L. Strauss, for Robert Vagt, owner.
SUBJECT—Application for consideration—reopening and restoration to the Calendar (previously withdrawn)

—re Appeal from an order of the fire commissioner.
PREMISES AFFECTED—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened; motion to grant denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION—

(109-40-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn, was withdrawn April 2, 1940; and

WHEREAS, Sidney L. Strauss, for Robert Vagt, owner, requested reconsideration of the appeal; and

WHEREAS, this appeal was reopened by vote of the Board July 16, 1940; and

WHEREAS, the order of the fire commissioner, Order No. 3896-LF, dated December 28, 1939, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* throughout building having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the building is four stories in height, 40 ft. by 50 ft. in area; of Class 3 construction; erected in 1904; located in an unrestricted use district, and occupied: cellar, storage; first story, hair and feather packing, 3 persons; second story, same; third story, same; fourth story, storage; and

WHEREAS, the applicant contends that there is some prospect that a portion of the premises will be acquired by the city for the widening of Park avenue; that the cost of complying with the order would be approximately \$3,000; that it is considered inadvisable to comply with the order in view of the possibility that the building will be condemned by the city, and for this reason an extension of one (1) year is asked before compliance with the order.

Resolved, that the order of the fire commissioner, Order No. 3896-LF, dated December 28, 1939, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

465-21-A.

APPLICANT—John J. Gilmartin, for M. J. Kandel, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—36-25 (700 old number) Vernon boulevard, east side, 200 ft. north of Webster avenue (Block No. 358, Lot No. 10), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John J. Gilmartin.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(465-21-A)

WHEREAS, this appeal affecting premises 36-25 (700 old number) Vernon boulevard (Block No. 358, Lot No. 10), Long Island City, Borough of Queens, was granted by the Board June 21, 1921, on certain conditions, resolution amended April 6, 1937, and the owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 21, 1921, as amended April 6, 1937, so that as amended the resolution shall read:

"*Resolved*, that the decision of the fire commissioner and of the superintendent of buildings be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that such additional film vaults may be constructed as may be required from time to time in the conduct of this business provided all the requirements relating to film vault construction are complied with and the sprinkler system throughout is maintained to the satisfaction of the fire commissioner."

935-39-A.

APPLICANT—Frank S. Parker, for Wamkill Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank S. Parker.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(935-39-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, affecting premises 330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx, was granted by the Board July 18, 1939, on certain conditions, the resolution amended March 5, 1940, and the owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on July 18, 1939, as amended March 5, 1940, so that as amended the resolution shall read:

"*Resolved*, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 249-39, Objection No. 25, and on Alteration Application No. 787-39, Objection No. 14, be and it hereby is

MINUTES

modified and the appeal be and it hereby is *granted*, permitting construction of windows to the north and east facing the right-of-ways of the New York Central and the New York and Westchester Railroads as legal windows and complying with all the requirements therefor as long as such right-of-ways are continued, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applying thereto; that nothing herein contained shall be deemed to interfere with permission to occupy the first story parking space for the unloading and storage of motor trucks if found to be constructed and maintained in accordance with all laws, rules and regulations applicable thereto."

VARIATIONS OF THE LABOR LAW.

781-40-S.

APPLICANT—Percival R. Moses and S. R. Klein and Associates, for Estate of Eugene A. Hoffman, owner (11 West 42nd Street, Incorporated, lessee).

SUBJECT—Variation of the Industrial Code as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—11 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue, and 20 West 43rd street (Block No. 1258, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: S. R. Klein and Joseph Kleinberger.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(781-40-S)

WHEREAS, in the opinion of the Board the rules adopted by the Board of Standards and Appeals of the State of New York Department of Labor, known as Amended Rules Relating to the Construction, Installation and Inspection of Steam Boilers as adopted December 22, 1939, and which become effective February 1, 1940, do not apply to New York City.

Resolved, that the appeal be and it hereby is *dismissed* as not being properly before the Board.

83-40-S.

APPLICANT—Vadeco Realty Corporation, owner (Associated Laboratories, Incorporated, and San Gabriel Wine Company, lessees).

SUBJECT—Variation from the requirements of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John M. Bair and Edwin F. Horner.

For Administration: Chief Inspector Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(83-40-S)

WHEREAS, Vadeco Realty Corporation, owner (Associated

Laboratories, Incorporated, and San Gabriel Wine Company, lessees), filed January 24, 1940, an application for a variation from the requirements of the labor law as cited in an order and a decision of the fire commissioner; premises 51-12 21st street, northwest corner of Borden avenue (Block No. 64, Lot No. 28), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 2633-LF, dated April 19, 1939, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to—

1. Remove all partitions not built of incombustible material on the 1st, 2nd and 4th floors, as per Sections 263 and 270 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated December 28, 1939; and

WHEREAS, the building is seven stories (95 ft.) in height, 140 ft. by 97 ft. in area; of Class 1 construction; located in an unrestricted use A area district; erected in 1915, and occupied: sub-cellar and cellar, vacant; first story, winery, 4 persons; second story, canvas goods manufacturer, 52 persons; third story, box company, 5 persons; fourth story, drug company, 12 persons; fifth, sixth and seventh stories, vacant; the building is equipped with a sprinkler and standpipe system, and a watchman system is maintained; there are two fireproof stairways, each 3 ft. 6 in. wide, leading from roof to the street, and one fire escape, leading from roof to street, with fireproof windows on the course thereof, as well as two fire towers; and

WHEREAS, the applicant contends that the number of persons employed is small; that none of the tenants affected by the order have occupied space in the building for more than eighteen months; that all were put to considerable expense for present partition installations, and to comply with the order would work a hardship on all affected tenants; that it is proposed to have all partitions erected, painted with a preparation known as "Flamex", which is guaranteed by the manufacturer to withstand direct contact with flame of a blowtorch for one-half hour.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in Order No. 2633-LF of the fire commissioner and that the application be and it hereby is *granted on condition* that no additional incombustible materials shall be constructed within the building other than those now existing, as shown on plans filed herewith; that the sprinkler system, standpipe system and watchman's service shall be maintained to the satisfaction of the fire commissioner; that the requirements of the labor law, as to the fire tower opening to the outer air, shall be complied with; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

565-40-S.

APPLICANT—American Chic Company, owner.

SUBJECT—Variation from the requirements of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—30-30 Thomson avenue, south side, between 30th place (Manley street) and 31st (Mount) street (Block No. 277, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John J. Morris and Charles Bashwiner.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

MINUTES

THE RESOLUTION—

(565-40-S)

WHEREAS, American Chicle Company, owner, filed May 24, 1940, an application for a variation from the requirements of the labor law as cited in an order and a decision of the fire commissioner; premises 30-30 Thomson avenue, south side, between 30th place (Manley street) and 31st (Mount) street (Block No. 277, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4232-LF, dated February 20, 1940, reads:

"1. Remove all partitions not built of incombustible material on the 1st story, as per Sec. 263 and 270 of the Labor Law.

2. Remove panic bolts from all doors, as per Section 272 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated May 17, 1940; and

WHEREAS, the building is five stories (80 ft.) in height, 200 ft. by 600 ft. in area; of Class 1 construction; located in an unrestricted use district; erected in 1919, and occupied: cellar, factory and storage, 110 persons; first story, factory, storage and office, 189 persons; second story, factory, storage and cafeteria, 23 persons; third story, factory, 484 persons; fourth story, factory, storage and office, 238 persons; fifth story, office, 154 persons; and

WHEREAS, the building is equipped with sprinkler and standpipe systems, an interior fire alarm system, and fire drills are maintained; there are six interior stairs, of fireproof construction, 6 ft. in width each, which lead from roof direct to the street; and

WHEREAS, the applicant contends that the partitions affected by the order consist of beaver board on office side of wood studs, for a height of 7 ft., with plain glass to ceiling, wood doors with plain glass panels, and wood and glass partitions around office space extending to ceiling; that the first story, where these partitions are located, is used for the storage of wood cases, cardboard and finished paper products; that these products are more combustible than the partitions and, therefore, a variation is requested; that the street doors are equipped with Sargent panic bolts which were installed when the building was erected in 1919; that these doors are openable from the interior, and variation is requested to permit a continuance of these panic bolts; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in an order of the fire commissioner, Order No. 4232-LF, and that the application be and it hereby is *granted*, as to Objection No. 1, *on condition* that no additional partitions of incombustible material shall be constructed within the building and that the use of rooms enclosed in incombustible partitions shall remain substantially as at present, and *granted*, as to Objection No. 2, that the exit doors at the street may be equipped with panic bolts as proposed, *on condition* that such panic bolts are operable at all times to permit ready exit from the building; that the sprinkler and fire alarm systems and fire drills shall be maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

713-40-S.

APPLICANT—Ely Jacques Kahn, for Garment Center Capitol, Incorporated, owner.

SUBJECT—Variation from the requirements of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—500-504 Seventh avenue, 201-219 West 37th street, northwest corner, and 214-226 West 38th street (first story) (Block No. 787, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Jams B. Newman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(713-40-S)

WHEREAS, Ely Jacques Kahn, for Garment Center Capitol, Incorporated, owner, filed June 28, 1940, an application for a variation from the requirements of the labor law as cited in a decision of the borough superintendent of buildings; premises 500-504 Seventh avenue, 201-219 West 37th street, northwest corner, and 214-226 West 38th street (first story) (Block No. 787, Lot No. 40), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3926-39, dated June 6, 1940, reads:

"5. Exits from this bldg. should comply fully with Sect. 270 & 272 Labor Law. Refers to new show windows in Public Hall on 1st floor 7th Ave. entrance."

and

WHEREAS, the building is seventeen stories (212 ft.) in height, 74 ft. 8 in., irregular, by 275 ft., irregular, in area; of Class 1 construction; located in an unrestricted and retail use B area district; erected in 1919, and occupied: cellar, storage and shipping, 210 persons; first story, stores, 200 persons; second to ninth stories, inclusive, factories, 660 persons each story; tenth to seventeenth stories, inclusive, factories, 360 persons each story; and

WHEREAS, the building is equipped with sprinkler and standpipe systems, an interior fire alarm system, five interior stairs or fire towers, of fireproof construction, and kalamein self-closing fire doors; and

WHEREAS, the applicant contends that at present there are wired glass windows in two sections of the corridor, allowed under a previous case before the Board; that the owner is requesting permission to install two additional show windows in the hall, near the Seventh avenue entrance; that in requesting this permission, it is proposed that the windows be enclosed and protected as called for in section C26-289.0 (2) of the Administrative Code, that is, with an enclosure of 6 in. of terra cotta, with fireproof self-closing doors having wired plate glass front, and automatic sprinklers; that it is felt that with three stairways of the building exiting through entirely separate corridors, the two stairs which land in this corridor being close to the street fronts, and with the possibility of going from these stairs in either direction to exits at opposite end of the corridor, and also the various safeguards enumerated above, the public interest is well protected and no hazard created in the proposed construction.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in a decision of the borough superintendent of buildings, on Alteration Application No. 3926-39. Objection No. 5, and that the appeal be and it hereby is *granted on condition* that the proposed show windows shall be constructed of polished wire glass with the protection behind same as proposed consisting of an enclosure of 6 in. terra cotta wall with fireproof self-closing doors therein and an automatic sprinkler system continued into the show window space.

762-40-S.

APPLICANT—John H. Scheier, for Benjamin Ferber, owner.

SUBJECT—Variation from the requirements of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—204 East 56th street, south side, 90 ft. east of Third avenue (Block No. 1329, Lot No. 44¼), Borough of Manhattan.

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APPEARANCES—

For Applicant: John H. Scheier.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(762-40-S)

WHEREAS, John H. Scheier, for Benjamin Ferber, owner, filed July 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 204 East 56th street, south side, 90 ft. east of Third avenue (Block No. 1329, Lot No. 44 $\frac{1}{4}$), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 138-40, dated July 9, 1940, reads:

"1. Provide two lawful means of egress from each floor area as per Sec. 270 of the Labor Law."

and

WHEREAS, the building will be three stories (41.6 ft.) in height, 20 ft. by 69.5 ft. in area; of Class 3 construction; located in a business use B area district, and occupied: cellar, storage and boiler-room; first story, store, 10 persons; second story, storeroom and light manufacturing, 20 persons; third story, showroom and light manufacturing, 15 persons; the building will be equipped with one interior stairs, 3 ft. 8 in. wide, of steel construction, and enclosed in fireproof partitions, with one-hour doors; and

WHEREAS, the applicant contends that the area of the building is small; that in view of the proposed fireproof stairway, the low height of the building, the small floor areas affected, the requirement for providing a second fireproof stairs will be an undue hardship upon the owner; that in lieu of the fireproof stairs it is proposed to install a labor law fire escape from the roof to grade at the rear, with egress through adjoining premises, as shown on plan filed with this application marked "Received July 11, 1940".

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent of buildings on New Building Application No. 138-40, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the primary means of exit shall comply with the requirements of the State Labor Law and the Building Code in all respects, and that the secondary means of exit shall be provided in the form of a rear fire escape complying with the requirements therefor and exiting through the rear yard of No. 925 Third avenue, as indicated on plans filed herewith; that in all other respects this building and occupancy shall comply with the requirements of the zoning resolution and all laws, rules and regulations applicable hereto; that there shall be filed with the borough superintendent of buildings a letter from the owner of the premises at 925 Third avenue permitting the exiting from the fire escape as proposed through his premises at No. 925 Third avenue so as to provide free access to Third avenue available at all times during working hours, or that in lieu of exit through such building, the borough superintendent of buildings may accept a similar affidavit from the owner of an adjoining building permitting access to Third avenue available at all times during working hours.

13-36-S.

APPLICANT—Samuel Rosenblum, for Arcadia Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation from the requirements of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—414-416 East 20th street, south side, 199 ft. 6 in. east of First avenue (Block No. 951, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(113-36-S)

WHEREAS, this application for a variation from the requirements of the labor law as cited in an order of the commissioner of buildings, affecting premises 414-416 East 20th street, south side, 199 ft. 6 in. east of First avenue (Block No. 951, Lot No. 48), Borough of Manhattan, was granted by the Board May 12, 1936, on certain conditions, and the owner requested an amendment of the resolution as to occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on May 12, 1936, *only so far as it refers to the number of persons to occupy the second and third stories*, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law and that the application be and it hereby is *granted*, *modifying* the order of the commissioner of buildings, Order No. 27888-LD, *on condition* that the present scuttle in roof shall be closed and a new scuttle not less than 2 ft. by 3 ft. in clear width shall be constructed along the westerly wall and within 25 ft. of the rear wall of the building; that the cover to this scuttle shall be counterbalanced and that a steel, double-rung ladder shall be affixed to the wall for access to this scuttle; that there shall be a gooseneck ladder installed from the top story balcony to roof; that there shall be placed upon the roof a steel ladder to be used for ready access to the roof of adjoining two-story garage; that in lieu of counterbalanced ladder from the front fire escape there shall be installed two (2) vertical sliding ladders; that the occupancy of the second story and third story shall not exceed ten persons each; that this modification shall continue only so long as conditions are maintained and the building is not increased in height or area; that the occupancy of the second and third stories shall not exceed ten (10) persons each unless the stairway is constructed to the roof, from which safe exit can be had over roof of an adjoining building, in which case the occupancy of the second and third stories may be increased to twenty (20) persons each."

674-40-S.

APPLICANT—George G. Miller, for Chatco Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar on new decision—re Variation from the requirements of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—333-337 Sixth avenue and 2-8 Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and granted on condition.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(674-40-S)

WHEREAS, this application for a variation from the requirements of the labor law as cited in a decision of the acting borough superintendent of buildings, premises 333-337 Sixth avenue and 2-8 Cornelia street, southwest corner (Block No. 589, Lot Nos. 28 and 25), Borough of Manhattan, was withdrawn June 25, 1940; and

WHEREAS, George G. Miller, for Chatco Corporation, owner, requested reconsideration of the application; and

WHEREAS, this application was reopened by vote of the Board July 16, 1940; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2650-39, dated June 27, 1940, reads:

"11. Repeat . . . Passageway from termination of exterior stairway should be enclosed with fireproof construction due to passage over partial non-fireproof roof. Reconsideration denied."

and

WHEREAS, the building is twelve stories (135 ft.) in height, 130 ft. 10½ in. by 98 ft. 6¾ in., irregular, in area; of Class 1 and Class 3 construction; located in a business use B area district; erected in 1907, and occupied throughout as a factory with stores on the first story; and

WHEREAS, the building is equipped with a sprinkler system and standpipe system, one interior stairs, 3 ft. 6 in. wide, of iron construction, enclosed in 4 in. terra cotta blocks, and equipped with fireproof self-closing doors, one exterior stairs leading from the main roof to the roof of adjoining building and proposed to lead to street by fireproof passage and stairs and windows on the course which will be fireproof, self-closing; and

WHEREAS, the applicant contends that the rear yard extends from Tenth avenue through to Cornelia street; that there is an exterior screened iron stairway extending from the grade to roof which acts as a second means of egress; that it is intended to build a one-story store building on the yard space and support the existing iron stairway on steel girders, properly fireproofed; that egress to the street from the exterior screened stairway at the second story level will be maintained by a proposed open fireproof passage to a new stairway extending to the street; that in view of the fact that the present means of egress are not being materially changed, it is requested that a proposed means of egress be accepted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in a decision of the borough superintendent of buildings on Alteration Application No. 2650-39, Objection No. 11, and the application be and it hereby is *granted on condition* that the second means of exit is provided by means of an exterior screened stairway extending to the one-story roof of the proposed one-story building to be constructed at the south; that a 4 in. concrete slab passageway shall be constructed, protected by a pipe railing, leading to a stairway, which in turn leads direct to Cornelia street, all as indicated on revised plans filed with the borough superintendent of buildings under Alteration Application No. 2650-39 June 27, 1940; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCES SUBMITTED FOR APPROVAL.

712-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Weathermaker, Type 43Q, and Carrier Humidifier, Type 43T, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

713-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Weathermaker, Type 48F, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

758-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Weathermaker, Types 39D, 39G, 39J, 39Q and 39R, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

46-34-SA.

APPLICANT—May Oil Burner Corporation, owner.

SUBJECT—Application for amendment of resolution—May Oil Burner and Quiet May Oil Burner, to include approval of Models N, O, U and D.

APPEARANCES—

For Applicant: Leonard H. Rapaport.

ACTION OF BOARD—Resolution amended in accordance with report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(46-34-SA)

WHEREAS, Louis G. Imperato, for May Oil Burner Corporation, owner, filed April 5, 1940, a request with the Board of Standards and Appeals for approval of the appliance known as the May Oil Burner and Quiet May Oil Burner, Models N, O, U and D; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 46-34-SA.

Subject: Amendment of resolution to include approval of Models N, O, U and D.

The Board of Standards and Appeals on April 17, 1934, approved the May Oil Burner, Model BB; on March 21, 1939, amended the resolution to include Models B, NSJ, F, NSJ 1 and W, and on July 5, 1939,

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further amended the resolution to include Models SMT, LCT and DV.

Request is now made for a further amendment to include Models N, O and U, and for a correction to include Model D.

These models were inspected and tested by the Committee of the Board. Model N is the same construction as Model G except that the blower housing is 4½ in. outside diameter and there is a slight change in size of fan, windpipe and air inlet, which is 3½ in. wide. Model O is the same as N except that the air inlet is 4½ in. wide.

Model U is the same as N except that the base is removed and the burner is provided with a flanged collar.

Model D is the same as DU except that DU is sold with the boiler unit.

Model D has a maximum capacity of three gallons per hour, Models N and U, five gallons per hour, and Model O, six gallons per hour.

These models have been approved by the Underwriters' Laboratories, Lab. File No. MP 166, Vol. III, page 3. The controls are similar to those on the approved burners.

As a result of the inspection and test, it is recommended that the resolution of April 17, 1934, as amended March 21, 1939, and July 5, 1939, be further amended to include approval of Models N, O, U and D, on condition that the requirements of the resolution be complied with in all respects.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution of the Board as last amended July 5, 1939, to include approval of these models.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 17, 1934, and as last amended July 5, 1939, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the appliance known as the May Oil Burner and Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ, 1, W, SMT, LCT, DU, N, O, U and D, for use in domestic, commercial and industrial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the pertinent reports of the Committee on Tests, on condition that the appliance shall have a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 46-34-SA."

21-34-SA.

APPLICANT—Ohio Pattern Works and Foundry Company, owner.

SUBJECT—Application for reopening—amendment—re Approval of the Metropolitan Curb Fill Box, Three-Inch Size.

APPEARANCES—

For Applicant: M. A. Munroe.

ACTION OF BOARD—Resolution amended in accordance with report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(221-34-SA)

WHEREAS, Ohio Pattern Works and Foundry Company, owner, filed June 10, 1940, a request with the Board of Standards and Appeals for approval of the appliance known as the Metropolitan Curb Fill Box, Three-Inch Size; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 221-34-SA.

Subject: Amendment of the resolution to approve the Metropolitan Curb Fill Box, Three-Inch Size.

The Board of Standards and Appeals on May 7, 1935, approved the Metropolitan Fill Box No. 138 in 2 in. size for gasoline installation. Request has been made for approval of the 3 in. size. Examination of drawing indicates that the 3 in. size is constructed similar to the 2 in. size except for a rearrangement of the screen with cast iron body, bronze filling cage, screen, etc., the only difference being the increase in diameter.

It is recommended that the resolution of the Board be amended to include approval of the Metropolitan Fill Box No. 138 in 3 in. size.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution adopted by the Board on May 7, 1935, so as to include approval of this size.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 7, 1935, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the device known as the Metropolitan Curb Fill Box, No. 138, Two-Inch and Three-Inch Size, for use in gasoline installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals."

364-34-SA.

APPLICANT—Motor Wheel Corporation, owner.

SUBJECT—Application for amendment of resolution of M. W. Oil Burning Range to include approval of Models 165 and 175.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(364-34-SA)

WHEREAS, Motor Wheel Corporation, owner, filed June 5, 1940, a request with the Board of Standards and Appeals for approval of the appliance known as the M. W. Oil Burning Range, Models 165 and 175; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 364-34-SA.

Subject: Amendment of resolution to include approval

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of Models 165 and 175 of the M. W. Oil Burning Range.

The Board of Standards and Appeals on February 19, 1935, approved the M. W. Oil Burning Range Commercial Models 152 and 251 and Domestic Models 101-G and 126-B, request is now made for approval of Models 165 and 175.

These models are similar to Model 101-G except as to streamlining the exterior of the range. Model 165 has one side closet and Model 175 two side closets. These models were inspected at 63 Metropolitan avenue, Brooklyn, and found to be constructed similar to approved Model 101-G.

The Committee therefore recommends that the resolution of February 19, 1935, be amended to include Models 165 and 175 for domestic use, on condition that the conditions set forth in the resolution be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution adopted by the Board on February 19, 1935, so as to include approval of these models.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 19, 1935, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the M. W. Oil Burning Range, Commercial Models 152 and 251, and Domestic Models 101-G and 126-B, and, also, Models 165 and 175, when installed in accordance with the provisions of the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

1. Only approved safety cans shall be used for the storage and filling of oil containers.
2. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed.
3. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

APPROVED BY THE BOARD OF STANDARDS AND APPEALS

For Use in New York City.

Under Cal. No. 364-34-SA

Only an Approved Safety Can Shall Be Used
in Filling This Storage Container.

4. That the device shall be connected by a suitable flue pipe to a legal chimney, in accordance with the requirements of Section 403 of Chapter V of the Code of Ordinances, such chimney to be provided with a readily accessible cleanout door; that this flue be provided with a suitable stack check to nullify down draft.
5. The fuel oil used in this device shall be range oil or No. 1 fuel oil."

365-34-SA.

APPLICANT—Motor Wheel Corporation, owner.

SUBJECT—Application for amendment of resolution of M. W. Water Heater, No. 20, to include approval of Models 21 and 41.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(365-34-SA)

WHEREAS, Motor Wheel Corporation, owner, filed June 5, 1940, a request with the Board of Standards and Appeals for approval of the appliance known as the M. W. Water Heater, Models 21 and 41; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 12, 1940.

Re: Cal. No. 365-34-SA.

Subject: Amendment of resolution to include approval of Models 21 and 41 of the M. W. Water Heater.

The Board of Standards and Appeals on February 26, 1935, approved the M. W. Water Heater, Model 20-D, for use in domestic and commercial installations when used with oil not heavier than range oil or No. 1 fuel oil, request is now made for approval of Models 21 and 41.

These models were inspected at 63 Metropolitan avenue, Brooklyn. These models are similar to Model 20-D in construction, the only difference being the finish and streamlining of the outer casing, No. 41 having a greater water capacity than No. 21.

The Committee recommends that the resolution of February 26, 1935, as amended November 4, 1936, be amended to include M. W. Water Heater, Models 21 and 41, on condition that the requirements of the resolution be complied with.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution adopted on February 26, 1935, as amended November 4, 1936, to include approval of these models.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 26, 1935, as amended November 4, 1936, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the M. W. Water Heater, Models 20-D, 21 and 41, for use in domestic and commercial installations when used with oil not heavier than range oil or No. 1 fuel oil and installed in accordance with above report and the Oil Burner Rules of the Board of Standards and Appeals with the following additional requirement:

The burner shall bear a label permanently attached thereto reading as follows:

NOTICE

APPROVED BY THE BOARD OF STANDARDS AND APPEALS

For Use in New York City

Under Cal. No. 365-34-SA."

366-34-SA.

APPLICANT—Motor Wheel Corporation, owner.

SUBJECT—Application for amendment of resolution—re

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M. W. Radiant and Circulating Heaters to include approval of Models 406, 407, 506 and 507 Radiant and 611, 612, 614, 711, 712, 714 and 807 Circulating.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(366-34-SA)

WHEREAS, Motor Wheel Corporation, owner, filed June 5, 1940, a request with the Board of Standards and Appeals for approval of the appliance known as the M. W. Radiant and Circulating Heater, Models 406, 407, 506 and 507 Radiant and 611, 612, 614, 711, 712, 714 and 807 Circulating; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 366-34-SA.

Subject: Amendment of resolution to include approval of M. W. Circulating and Radiant Heater, Models 406, 407, 506 and 507 Radiant and 611, 612, 614, 711, 712, 714 and 807 Circulating.

The Board of Standards and Appeals on February 26, 1935, approved the M. W. Circulating and Radiant Heater, Models 501, 601, 701 and 801. Request is now made for an amendment of the resolution to include Models 406, 407, 506 and 507 Radiant Heaters and Models 611, 612, 614, 711, 712, 714 and 807 Circulating Heaters.

These heaters are of the same construction as those approved by the Board. The only difference being in the exterior finish. Models 406, 407, 506 and 507 constructed the same as 501.

Models 611, 612 and 614 the same as 601. Models 711, 712 and 714 same as 701. Model 807 same as 801.

These heaters were inspected at 63 Metropolitan avenue, Brooklyn.

The Committee recommends that the resolution of February 26, 1935, as amended November 4, 1936, be further amended to include the approval of Models 406, 407, 506 and 507 of the M. W. Radiant Heaters and Models 611, 612, 614, 711, 712, 714 and 807 of the M. W. Circulating Heaters, on condition that the resolution of the Board of February 26, 1935, be complied with in all respects.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution adopted on February 26, 1935, as amended November 4, 1936, to include approval of these models.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 26, 1935, as amended November 4, 1936, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the M. W. Circulating and Radiant Heater, Models 501, 601, 701, 801, 406, 407, 506, 507, 611, 612, 614, 711, 712, 714 and 807, when installed in accordance with the provisions of the Oil Burner Rules of the Board of Standards and

Appeals and with the following additional requirements:

1. Storage container must bear a label permanently attached thereto reading as follows:

NOTICE

Approved By The

BOARD OF STANDARDS AND APPEALS

FOR USE IN NEW YORK CITY

UNDER CAL. No. 366-34-SA

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

2. Floor beneath the oil burning device shall be protected by a ½ in. asbestos or other equivalent shield, extending at least 12 in. beyond the projected area of such device.
3. Only safety cans approved by the New York Fire Department shall be used for the storage and filling of oil containers.
4. That the device shall be connected by a suitable flue pipe to a legal chimney, in accordance with the requirements of section 403 of chapter V of the Code of Ordinances, such chimney to be provided with a readily accessible cleanout door; that this flue be provided with an approved stack check to nullify down draft.
5. The fuel oil used in this device shall be range oil or No. 1 fuel oil."

604-39-SA.

APPLICANT—W. S. Wilson Corporation, for Dugas Engineering Corporation, owner.

SUBJECT—Dugas Dry Chemical Fire Extinguisher, approval of.

APPEARANCES—

For Applicant: J. J. Plunkett.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(604-39-SA)

WHEREAS, W. S. Wilson Corporation, for Dugas Engineering Corporation, owner, filed May 10, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Dugas Dry Chemical Fire Extinguisher; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 604-39-SA.

Subject: Dugas Dry Chemical Fire Extinguisher, approval of.

W. S. Wilson Corporation, for Dugas Engineering Corporation, owner, filed May 10, 1939, an application with the Board of Standards and Appeals for approval of the Dugas Dry Chemical Fire Extinguisher No. 15, No. 30 and Extinguisher on Wheels No. 150 and No. 350, under the provisions of C26-191.0 (2.2.3), Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

These extinguishers are designed to afford a means of discharging a stream of dry powder chemical under pressure from a nozzle attached to a length of discharge hose. It consists of a steel tank in which the dry powder is contained, a cylinder of nitrogen or CO₂

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gas which serves as the source of pressure for expelling the chemical from the extinguisher. A pressure reducing valve located in the connection between the nitrogen container and the dry powder chemical container which receives the nitrogen gas from the gas cylinder under high pressure, discharges it to the dry powder chemical container at a reduced pressure; a length of discharge hose and the mounted tanks, the necessary framework and wheels.

The extinguisher is intended for use on types of fires involving flames but not including deep-seated embers. Such fires may include large areas of burning liquids or incipient fires of ordinary combustible material.

The nitrogen cylinders which are used in the large or small size models and the CO₂ cylinders which are only used in small conform to the specifications of the Interstate Commerce Commission.

The gas is stored in cylinders at a pressure of about 1,900 pounds per sq. in. at 70 degrees Fahrenheit. The cylinder for Model 150 has a capacity for 100 cu. ft. of gas and No. 350 for 200 cu. ft.

The applicator is put in operation by the functioning of the gas chamber releasing the gas.

The extinguishers are made of drawn steel.

A test was conducted of this extinguisher at Chicago, July 18, 1940, on gasoline and wood fires and the apparatus was found to operate as follows:

A pail of burning gasoline was completely extinguished in two seconds and a wood fire, which had been burning for ten minutes, was extinguished except for some embers, which is ignited.

The extinguisher has been approved by the Underwriters' Laboratories, Extinguisher No. 1216, Application 32C1024.

As a result of these tests, the Committee recommends that the Dugas Dry Chemical Fire Extinguisher, Models No. 15 and No. 30 and the wheeled Models No. 150 and No. 350 be approved for use in New York City for oil fires or incipient fires in material other than wood, when manufactured and operated in accordance with the report, on condition that the appliance bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for oil or gasoline fires or incipient fires in other material under Cal. No. 604-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Dugas Dry Chemical Fire Extinguisher, on condition that the appliance be manufactured, operated, and labeled, stamped or tagged in accordance with above report and in compliance with the general resolution of the Board adopted under Cal. No. 809-40-GR.

661-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Industrial Humidifier, Type 29R, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(661-39-SA)

WHEREAS, Carrier Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Industrial Humidifier, Type 29R; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 661-39-SA.

Subject: Carrier Industrial Humidifier, Type 29R, approval of.

George R. Numrich, for Carrier Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the Carrier Industrial Humidifier, Type 29R, under the provision of C26-191.0 (2.2.3), Administrative Building Code.

The Carrier Industrial Humidifier, Type 29R, is a screen surface humidifier, using stacks of screens which are wetted by water spray, as humidifying surface.

These screens are contained within casings forming humidifying cells. The air is drawn through the humidifying elements parallel to the screens, which are placed in close proximity, and is thus broken up into small air streams which impinge with the wetted surface.

The field of application is primarily in the industrial humidifying field requiring duct work.

Assembly:

The 29R Surface Humidifiers are available in twenty-seven unit sizes. A standard base unit includes: Complete unit casing, centrifugal nozzle sprays, internal piping, screen packs, two-pass eliminators, water pump and motor, spray water heater and external piping.

Screen Packs:

Manufactured in two sizes of 26 in. high by 27 in. wide in direction of air flow and 34½ in. by 27 in. by 10 in., to fit in multiples into each of the twenty-seven units. Arrangement of the screen packs is shown in Table 1 for the different capacity units.

The screen packs are self-contained humidifying cells, consisting of a hot dipped galvanized casing which contains heavily galvanized screens and supports. The screens are individually removable and self-spacing. This arrangement provides an efficient humidifying surface and offers low resistance to the air flow. The screen packs are readily removable from one side of the units.

Sprays:

3/16 in. orifice centrifugal nozzles located to provide thorough coverage of the screen packs. All internal piping and fittings of galvanized iron. Spray header assemblies demountable in one piece from inlet side of unit.

Spray Water Heater:

Indirect spiral coil heat interchanger using steam as heating medium. The spray water is circulated on the outside of the copper heating coils, contained in a galvanized cast-iron casing. The spray water heater is mounted, readily accessible at the outside of the casing. The heater casing is of bolted construction and can be opened for cleaning. The units are equipped with heaters. External piping connecting heater to pump and sprays is galvanized.

These units were inspected and tested at the plant of the Carrier Corporation at Syracuse, New York, and were found to operate satisfactorily.

On the basis of this test, the Committee recommends the approval of the Carrier Industrial Humidifier, Type 29R, for use in New York City when installed in accordance with the above report and with the requirements of C26-191.0 (2.2.3), Administrative Building Code, on

MINUTES

condition that the appliance bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 661-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Industrial Humidifier, Type 29R, on condition that the appliance be manufactured, installed, operated and labeled, stamped or tagged in accordance with above report.

663-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(663-39-SA)

WHEREAS, Carrier Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 663-39-SA.

Subject: Approval of Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R.

George Numrich, for Carrier Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R, under the provisions of C26-191.0 (2.2.3), Administrative Building Code.

These units consist of steam coils, fan and ducts for distributing heated air.

The Types 46P, 46Q and 46R Carrier Heat Diffusing Units represent a method of heating and ventilating large, open rooms such as are found in factories, warehouses, hangars, garages and similar buildings.

The 46Q is a floor mounted unit. The 46P a suspended unit which can be suspended vertically in either upright or inverted positions. The 46R is also a suspended unit but is suspended in the horizontal position.

These units employ a thermadjust control which employs a by-pass damper to regulate the volume of heated and by-passed air for the purpose of controlling the heat output of the unit to balance exactly the heating requirements.

In design, the thermadjust feature consists of a by-pass opening in the casing just above the heating coil and two sets of interconnected dampers, one located in the by-pass opening and the other one over the coil. The total amount of air delivered by the unit remains substantially constant regardless of the setting of the

dampers. A proportional amount of air drawn over the heating coil and by-passed around the coil is controlled by the setting of the dampers. The change of setting of the dampers thus adjusts the heat output of the unit. The dampers may be operated by hand, or automatically by electric or air-operated motors.

These units were inspected by the Committee of the Board at the plant of the Carrier Corporation, at Syracuse, New York, and found to operate as designed.

On the basis of this inspection, the Committee recommends that the Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R, be approved for use in a voluntary installation in New York City when installed in accordance with this report under C26-191.0 (2.2.3) of the Administrative Building Code, on condition that the appliance bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 663-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Heat Diffusing Unit, Types 46P, 46Q and 46R, on condition that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

834-39-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Room Air Conditioner (Weather Master Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G, 43Q and 43T, approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(834-39-SA)

WHEREAS, George Numrich, for Carrier Corporation, owner, filed June 21, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Room Air Conditioner (Weather Master Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G, 43Q and 43T; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 834-39-SA.

Subject: Carrier Room Air Conditioner (Weather Master Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G, 43Q and 43T.

George Numrich, for the Carrier Corporation, owner, filed June 21, 1939, an application with the Board of Standards and Appeals for approval of the Carrier Room Air Conditioner (Weather Master Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G,

MINUTES

43Q and 43T, under the provisions of C26-191.0 (2.2.3), Administrative Building Code.

These appliances combine in one unit the functions of winter heating and summer cooling. They are marketed in either a metal cabinet or in bare units for installation wherever desired. A primary air supply from a duct projected upward in the unit induces a secondary air flow through a front grille or opening. In summer the primary air is chilled in a remote air conditioning unit but in winter the secondary air is heated by passing over the heater coil in the front of the unit, the primary and secondary air are mixed within the unit above the nozzle.

Type 48F is designed to supply complete air conditioning for individual rooms.

The unit is floor mounted with refrigeration supplied from a compressor, or other source, located remotely from the conditioned space.

The unit has an outer decorative cabinet which encloses an inner casing, and all piping, controls and electric wiring.

The inner casing includes all operating elements and controls. Standard controls include a thermal switch, solenoid valve, thermostat and thermal expansion valve for the cooling season, and for the heating season a self-contained steam valve, and a hydrostat when required.

Refrigeration capacity ranges from $\frac{3}{4}$ ton to $1\frac{1}{2}$ tons per unit.

Carrier Types 36E, 36F, 36G and 36H combine the functions of winter heating and summer cooling. Type E and Type F are connected to a primary air supply duct, while Type G and Type H are each equipped with a primary air fan and no ductwork is used.

Type 36E is in six sizes, ranging from 18 in. to 60 in. nominal length, and may be used with steam or hot water as the heating medium. Low pressure primary air is supplied from a duct and is projected upwards in the unit; this induces a magnified secondary air flow through the front grille. In summer the primary air is chilled in a remote air-conditioning unit, but in winter the secondary air is heated as it passes over the heater coil in the front of the unit. The primary and secondary air are mixed within the unit above the nozzle.

The 36F unit is similar to the Type 36E unit but uses air of higher pressure and, therefore, has duct connections much reduced in size.

These units have controls for each individual room.

This control is normally manual but may be made automatic.

Type 36G and Type 36H are equipped with a primary air fan.

Carrier Type 39 units are made in five models designated as Types 39D, 39G, 39J, 39Q and 39R. The Type 39Q is a floor mounted unit while the other four types are suspended units. All units must be connected to remote refrigeration units.

Type 39D is a free delivery type unit intended for installation in the conditioned space, one size only. The average cooling capacity is two tons. Cooling coils are arranged for use with Freon, Methyl Chloride or chilled water.

Type 39J is similar to the 39D unit except that it is a duplex unit. Its capacity ranges from two to seven tons refrigerating effect.

Types 39Q and 39R Weathermakers are designed for complete air conditioning, cooling and dehumidification in winter; the circulation and filtering of the air all year round. The units are intended primarily for installation in concealed locations from which the air may be distributed through ducts and grilles into the conditioned space.

Type 39Q is a vertical unit for floor mounting. Type 39R is a horizontal unit for ceiling suspension. For summer conditioning, the source of cooling may be one or more refrigeration compressor units, expanding re-

frigerant directly into the coil, or chilling water or brine which is in turn circulated through the coil. Cooling coils are offered for use with direct expansion (Methyl Chloride or Freon) chilled water and brine.

These units are built in five sizes with cooling capacities ranging from two to forty tons.

Carrier Type 43 units are made in Models 43Q and 43T. Both models are available in five sizes.

Type 43Q is designed for industrial application where control of the temperature and humidity is desired throughout the year. The standard assembly includes (1) fan section, (2) spray and coil section, and (3) drip pan section. Two other sections may be added to this standard assembly; they are (1) heating coil and by-pass section, (2) filter section.

The cooling capacity of these units ranges from 12,000 to 480,000 Btu per hour, and the heating capacity ranges from 20,000 to 750,000 Btu per hour.

Type 43T is an industrial humidifier designed for application as a humidifier only. The overall dimensions are identical with the 43Q units. The piping arrangement is different inasmuch as a hot water heater is connected into the piping between the pump discharge and the spray headers, and the units are equipped with screen baskets instead of cooling coils.

The standard assembly includes: (1) fan section; (2) spray and screen section, and (3) drip pan section. Two additional sections can be added to the standard assembly: (1) heating coil and by-pass section, and (2) filter section.

The capacity of the 43T units range from 1,000 cfm to 8,000 cfm.

These units were inspected and tested by the Committee of the Board at the plant of the Carrier Corporation and found to operate satisfactorily.

On the basis of this test, it is recommended that the Carrier Room Air Conditioner (Weather Units) described herein, be approved for use in New York City when installed in accordance with the requirements of the Administrative Code, on condition that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 834-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Room Air Conditioner (Weather Master Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G, 43Q and 43T, on condition that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

92-40-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Home Weathermaker, Type 58C4 (stoker-fired), approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn

Negative 4
0

MINUTES

THE RESOLUTION—

(92-40-SA)

WHEREAS, George Numrich, for Carrier Corporation, owner, filed January 25, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Home Weathermaker, Type 58C4 (stoker-fired); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 92-40-SA.

Subject: Carrier Home Weathermaker, Type 58C4 (stoker-fired), approval of.

George Numrich, for the Carrier Corporation, owner, filed January 25, 1940, an application with the Board of Standards and Appeals an application for approval of the Carrier Home Weathermaker, Type 58C4 (stoker-fired), under the provision of C26-191.0 (2.2.3).

The Carrier 58C4 (stoker-fired) Home Weathermaker is a winter air-conditioning unit designed for residences. It is direct fired and combines the functions of heating, humidifying, filtering, ventilating and controlling the conditions of the atmosphere in the building.

Assembly.

The basic assembly is sectionalized into two major parts, the Fan-Filter Section and the Heat Interchanger Section. The Fan-Filter Section includes: filters, fan and motor, all the electrical connections and the humidifier float valve, bowl and strainer.

The heat interchanger section includes: Combustion chamber, heat interchanger and air baffles, flue gas manifold, stoker.

Casing.

The casing is constructed of 18 gauge steel finished with baked wrinkle enamel. Leak-tight slip seal joints. Access to all parts is provided by removable doors in casing.

Heat Interchanger.

The heat interchanger is constructed of corrosion and heat-resisting steel with welded joints.

Humidifier Assembly.

The humidifier is of the evaporating pan type. The assembly includes: humidifier pan, float valve and bowl, strainer and supply and drain connections. A humidistat may be used; this requires the use of a solenoid valve.

Filters.

The filters are throw-away type utilizing the impact principle on viscous, odorless wax. Four 16 in. by 25 in. filters are used per unit.

Fan Assembly.

The fan and motor are carried on an independent chassis, resiliently mounted and resting on the floor. A 14 in. forward curved blade fan, dynamically and statically balanced, runs in two self-aligning rubber-mounted ball bearings. A variable pitch drive pulley and an adjustable motor base facilitate changing fan speed and adjusting belt alignment and tension.

Standard Fan Motor.

The standard fan motor is split phase type, 1,725 rpm, 110 volt, 60 cycle, single phase with built-in overload protection. It is available in 1/4, 1/3 and 1/2 horsepower sizes.

Two Speed Fan Motor.

The two speed fan motor is capacitor start—induction run, 1,725 1,140 rpm, 110 volt, 60 cycle, single phase with built-in overload protection. It is available in 1/3 and 1/2 horsepower sizes.

Electric Controls.

The electric controls include: a combined fan and burner limit control and a control panel.

The control panel for the stoker-fired unit contains: a switch for turning the stoker motor and fan motor on and off (winter duty) and for running fan continuously (summer duty) and a transformer for a humidistat and a solenoid valve if they are used.

A "hold-fire" control is provided with the stoker-fired unit.

This appliance was inspected and tested at the plant of the Carrier Corporation at Syracuse, New York, and found to operate satisfactorily.

On the basis of this test, the Committee recommends the approval of the Carrier Home Weathermaker, Type 58C4 (stoker-fired), when installed in accordance with the requirements of the Administrative Building Code, on condition that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 92-40-SA."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this appliance; and

WHEREAS, this report was supplemented by reports of the Department of Water Supply, Gas and Electricity and of the Division of Combustibles, Fire Department.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Home Weathermaker, Type 58C4 (stoker-fired), on condition that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

93-40-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Home Weathermaker, Type 58C4 (oil-fired), approval of.

APPEARANCES—

For Applicant: S. P. Lockner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(93-40-SA)

WHEREAS, George Numrich, for Carrier Corporation, owner, filed June 25, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Home Weathermaker, Type 58C4 (oil-fired); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 93-40-SA.

Subject: Carrier Home Weathermaker, Type 58C4 (oil-fired), approval of.

George Numrich, for Carrier Corporation, owner, filed June 25, 1940, an application with the Board of Standards and Appeals for approval of the Carrier Home Weathermaker, Type 58C4 (oil-fired), under the provisions of C26-191.0 (2.2.3), Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

MINUTES

The Carrier Home Weathermaker, Type 58C4 (oil-fired), is a complete winter air-conditioning unit designed for residences. It is direct fired and combines the functions of heating, humidifying, filtering, ventilating and controlling the conditions of the atmosphere in the building.

Assembly.

The basic assembly is sectionalized into two major parts, the Fan-Filter Section and the Heat Interchanger Section. The Fan-Filter Section includes: filters, fan and motor, all the electrical connections and the humidifier float valve, bowl and strainer. The Heat Interchanger Section includes: combustion chamber, heat interchanger and air baffles, flue gas manifold, humidifier pan and oil burner.

Casing.

The casing is constructed of 18 gauge steel finished with baked wrinkle enamel. Leak-tight slip seal joints. Access to all parts is provided by removable doors in casing.

Heat Interchanger.

The heat interchanger is constructed of corrosion and heat-resisting steel with welded joints.

Combustion Chamber.

The combustion chamber for the oil burner is made of high grade pre-cast refractory material.

Humidifier Assembly.

The humidifier is of the evaporating pan type. The assembly includes: humidifier pan, float valve and bowl, strainer and supply and drain connections. A humidistat may be used; this requires the use of a solenoid valve.

Oil Burner Equipment.

Standard Carrier gun type burner as approved by the Board under Cal. No. 334-39-SA. Available for 110 volt, 60 cycle, single phase only.

Filters.

The filters are throw-away type utilizing the impact principle on viscous, odorless wax. Four 16 in. by 25 in. filters are used per unit.

Fan Assembly.

The fan and motor are carried on an independent chassis, resiliently mounted and resting on the floor. A 14 in. forward curved blade fan, dynamically and statically balanced, runs in two self-aligning rubber mounted ball bearings. A variable pitch drive pulley and an adjustable motor base facilitate changing fan speed and adjusting belt alignment and tension.

Standard Fan Motor.

The standard fan motor is split phase type, 1,725 rpm. 110 volt, 60 cycle, single phase, with built-in overload protection. It is available in $\frac{1}{4}$, $\frac{1}{3}$ and $\frac{1}{2}$ horsepower sizes.

Electric Controls.

The electric controls include: a combined fan and burner limit control and a control panel.

The control panel for the oil-fired unit contains: a switch for turning the oil burner or stoker motor and fan motor on and off (winter duty) and for running fan continuously (summer duty) and a transformer for a humidistat and a solenoid valve if they are used.

This appliance was inspected and tested at the plant of the Carrier Corporation at Syracuse, New York. The oil burner operated with no flarebacks or undue carbon deposits. The burner shut off in ninety seconds when oil was shut off.

On the basis of this test, the Committee recommends the approval of the Carrier Home Weathermaker, Type 58C4 (oil-fired), when installed in accordance with the report and the Oil Burner Rules of the Board of Standards and Appeals, on condition that the appliance bear

a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 93-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Home Weathermaker, Type 58C4 (oil-fired), on condition that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

698-40-SA.

APPLICANT—John J. Morro, for Paragon Oil Burner Corporation, owner.

SUBJECT—Paragon Oil Burner, Model B, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(698-40-SA)

WHEREAS, John J. Morro, for Paragon Oil Burner Corporation, owner, filed June 26, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Paragon Oil Burner, Model B; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 698-40-SA.

Subject: Approval of the Paragon Oil Burner, Model B.
John J. Morro, for Paragon Oil Burner Corporation, owner, filed June 26, 1940, an application with the Board of Standards and Appeals for approval of the Paragon Oil Burner, Model B, under the provision of C19-57.0a, Administrative Code, and C19-191.0 (2.2.3), Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

The Paragon Oil Burner, Model B, is designed primarily for use with the Paragon, Model B, Steel Heating Boiler. The air ducts are built as an integral part of the boiler, and Paragon, Model B, Burner consists essentially of a motor, fan and an approved type fuel pump mounted on a scroll housing with the ignition transformer mounted directly above. This assembly bolts to the air ducts built into the boiler and from this assembly a copper fuel tube and ignition leads are connected to the firing head which is likewise built into the end of the boiler furnace. The combustion assembly, including atomizing ignition units, are likewise built to fit on the end of the boiler furnace.

The burner is equipped with an Ohio one-eighth horsepower motor, a Tuthill Model 30 LEE fuelstat, a Dongin ignition transformer, and the air ducts and firing assembly are made to fit on a prepared place mounted on the boiler.

The controls are a Minneapolis Honeywell R A117 A Protectorelay, a Minneapolis Honeywell P404 pressure-

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trol, a Minneapolis Honeywell L170A aquastat and an Econo Model U low water cut-off.

The burner was inspected at the Paramount Building by the Committee of the Board July 11, 1940. The burner was fired and operated with a clean flame and no undue smoke. The oil supply was then shut off and the burner operated with flame for thirty-five seconds. The controls re-cycled in 100 seconds and the burner again operated without flame for seventy-three seconds and then shut off on final safety shutdown.

On the basis of this test, it is recommended that the Paragon Oil Burner, Model B, be approved for use in New York City in commercial and domestic installations with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, on condition that the appliance be installed and operated in accordance with the Oil Burner Rules of the Board of Standards and Appeals and that the appliance bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 698-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Paragon Oil Burner, Model B, on condition that the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

948-39-SM.

APPLICANT—Vulcanite Portland Cement Company,
owner.

SUBJECT—Vulcanite Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

994-39-SM.

APPLICANT—Vulcanite Portland Cement Company,
owner.

SUBJECT—Vulcanite All-Purpose Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

33-38-SM.

APPLICANT—Aerocrete Corporation of America, owner.

SUBJECT—Gritcrete Short Span Floor Construction and
Fireproofing, approval of.

APPEARANCES—

For Applicant: Denning Miller.

ACTION OF BOARD—Material approved in accordance
with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(33-38-SM)

WHEREAS, Aerocrete Corporation of America, owner, filed January 19, 1938, an application with the Board of Standards and Appeals for approval of the material known as Gritcrete Short Span Floor Construction and Fireproofing; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 33-38-SM.

Subject: Gritcrete Short Span Floor Construction and Fireproofing.

The Aerocrete Corporation of America, with offices in New York City, filed January 19, 1938, an application with the Board of Standards and Appeals for the approval of the use of Gritcrete in fireproofing of structural steel under C26-575.0 (10.1.4) and for short span floor construction under C26-620.0, par. b, c and d (10.3.2.2-3-4) with reinforcement as provided in Administrative Building Code.

The proposed use of Gritcrete comes within the purview of the intent of the Administrative Building Code to permit the use of satisfactory new materials and methods of construction not specifically contemplated nor provided for in the Code. Aerated concrete of this type has been in successful use in New York City since 1928, and elsewhere for a considerable time, and was developed as a substitute for cinder concrete due to a shortage of satisfactory cinders.

Gritcrete.

Gritcrete is a form of porous lightweight concrete obtained by adding to the usual ingredients of concrete, compounds as follows:

Aerocrete Compound No. 1—This is a dry metallic powder (aluminum dust) which causes a foaming to the mix or aerating action in about twenty minutes after adding by combining with the water forming an aluminum oxide and free hydrogen, the latter bubbling up through the concrete and thus rendering it cellular.

Aerocrete Compound No. 2—This is an alkaline water solution used in cold weather as a catalytic agent to accelerate the action of Aerocrete Compound No. 1, its proportions depending on temperature conditions and varies up to 1½ quarts (Columbia Report) maximum per bag of cement.

The concrete used is proportioned in the ratio of 1-2½-3½ and weighs 108 pounds per cu. ft. with an approximate gradation of aggregates of 4.0-4.3, to which mixing water is added at the rate of 6¾ gallons per sack of cement, yielding a 10 in. slump as measured in a standard cone.

Tests.

In order to develop data on which to base a finding, tests were conducted at Columbia University—Report No. 2492 (in so far as the report pertains to short span construction) with tests and results as follows:

Load Tests—

Load tests on several slabs of varying spans and thicknesses with results thereof were conducted as follows:

5½ In. Slab on 10 Ft. Clear Span.

This floor construction consisted of a Gritcrete floor slab supported by four 12 in. B28-pound beams forming three adjacent spans. The ends of the beams were

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rigidly embedded in 8 in. concrete sidewalls extending the length of the construction. The clearance between the test slab and sidewall at each edge was 2 in. The middle span, c.c. of beams, was 10 ft. 6½ in., and the end spans were 5 ft. 6½ in. The clear spans between flanges of beams were 10 ft. and 5 ft. respectively. Welded wire fabric, 3 in. x 16 in. spaced with No. 4 gauge longitudinal wires and No. 9 gauge transverse wires was used as reinforcement. The reinforcement was continuous, without crimping or hooking of wires at end supports, and placed one in. from the bottom of the slab.

The Gritcrete was placed to a depth of 4-7/16 in. and after expansion was struck off to the 5½ in. thickness. The maximum thickness of slab as measured after completion of the loading test was 5⅝ in. Allowing for small variations, the nominal thickness was taken as 5½ in., width of span 4 ft. 2 in., area 41.7 sq. ft. clear span.

All the floor slabs, three-span, two-span and simply supported span, were loaded at the third points of the loaded span, c.c. of supports. Timbers 2 in. x 10 in. x 4 ft. 6 in. long, were bedded in cement mortar across the slab, centered at the third points, and the loading weights stacked on a loading platform supported on the 2 in. x 10 in. timbers.

Load tests of 5½ in. slab 10 ft. clear span (aged twenty-eight days).

Total Applied Load on Slab in Lbs.	Mid-Span Deflection, Ins. of Loaded Slab (Average of Two Edge Readings)
3710	0.05
6230	0.09
9380	0.17
12530	0.28
15680	0.37
21902	0.60
(Maximum Load)	

Failure—Diagonal crack near one support extending from the haunch at bottom surface diagonally to a point 6 in. from the edge of the support in the top surface, indicating a combined bending and shear failure.

4 In. Slab on 8 Ft. Clear Span (continuous)

This floor construction consisted of a Gritcrete floor slab 4 ft. 2 in. wide supported by four 12 in. B25-pound beams forming three adjacent spans. The ends of the beams were rigidly embedded in 8 in. concrete sidewalls, as noted in the 5½ in. slab preceding. The middle span, c.c. of beams was 8 ft. 6½ in., and the end spans were 4 ft. 6½ in. The clear spans between beam flanges were 8 ft. and 4 ft. respectively.

Welded wire fabric 3 in. x 16 in. spaces, with No. 3 gauge longitudinal wires and No. 8 gauge transverse wires was used as reinforcement. The reinforcement was continuous, without crimping or hooking of wires at end supports, and placed one in. from the bottom of the slab.

The Gritcrete was placed to a depth of 3-5/16 in. and after expansion was struck off to the 4 in. thickness. The maximum thickness measured after completion of the loading test was 4⅔ in. Allowing for small variations, the nominal thickness may be taken as 4 in. Width of slab 4 ft. 2 in. Area of slab 33.3 sq. ft. clear span.

Total Applied Load on Slab in Lbs.	Mid-Span Deflection, Ins. of Loaded Slab (Average of Two Edge Readings)
6370	0.16
12762	0.48
15764	—
(Maximum Load)	

Failure—Diagonal crack near one support extending from the haunch at bottom surface diagonally to a point 6 in. from the edge of the support in the top surface, indicating a combined bending and shear failure.

Load Test of 4 In. Slab 8 Ft. Clear Span (semi-continuous)

This floor construction consisted of a Gritcrete two-span floor slab 4 ft. 2 in. wide supported by three 12 in. B25-pound beams, the ends of which were rigidly embedded in 8 in. concrete sidewalls, forming two adjacent spans. Both spans were 8 ft. 6½ in. c.c. of beams and 8 ft. clear span between flanges.

Welded wire fabric 2 in. x 16 in. spaces, with No. 5 gauge longitudinal wire and No. 10 gauge transverse wires was used as reinforcement. The reinforcement was continuous, without crimping or hooking of wires at the end supports, and was placed one in. from the bottom of the slab.

The form was filled to a depth of 3-5/16 in. and after expansion was struck off to the 4 in. thickness. The maximum thickness measured after completion of the loading test was 4½ in. Loaded area was 33.3 sq. ft. clear span. The panel was aged thirty-one days prior to testing.

Load tests were conducted as described in preceding test. with results as follows:

Total Applied Load on Slab in Lbs.	Mid-Span Deflection, Ins. of Loaded Slab (Average of Two Edge Readings)
4378	0.10
8506	0.23
12667	0.41
17047	0.73
18955	1.02
(Maximum Load)	

Failure—Horizontal crack near top surface under one load point, extending in direction of mid-span indicating compression failure at load point and vertical tension crack near mid-span on same side of mid-span as the horizontal crack. Both ends of slab lifted from supporting I-beams.

Materials Used in Columbia University Tests.

The fineness modulus of the coarse sand and ⅜ in. pea gravel as used in these tests was 3.23 for sand and 5.79 for gravel. The Gritcrete proportions in the 5½ in. slab was 1-2½-3½ with 6¾ gallons of mixing water per sack of cement.

Six ounces of Compound No. 1 and ½ to 1½ quarts of Compound No. 2 (alkaline solution) were added per sack of cement. The mix for the 4 in. slabs was 1-3⅝-3⅝ with 6¾ gallons mixing water, six ounces of Compound No. 1 and ½ to 1½ quarts of Compound No. 2 (alkaline solution) per sack of cement were added.

Note: To determine the compressive strength of Gritcrete and in view of its aerating properties, the Committee of the Board required that compression tests be made along the vertical axis for the reason that in this type of construction, strength varied with vertical distance, which is a procedure similar to that prescribed for cast stone and as used by the Bureau of Standards. Thus a sample was obtained which was indicative of the properties of the actual floor construction. On the basis of the foregoing, tests in cubes 6 in. square were conducted at Columbia University with results as follows:

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Mark on Cube	Source	Age at Test Days	Area Sq. Ins.	Height Ins.	Max. Load Lbs.	Ultimate Strength Lbs. Sq. Ins.
4 In. Floor Slabs		31	36.4	6.40	35900	986
		31	36.3	6.40	34200	942
5½ In. Panel and Floor Slab		28	36.0	6.70	37100	1030
		28	35.8	6.35	36000	1005
Beams		28	35.3	6.30	64250	1540
			33.9	6.35	52850	1560

Welded Wire Fabric—Tests were conducted to determine the properties of the welded wire fabric reinforcement used and only those wires in the longitudinal direction were tested, with the results as follows:

Test Slab	4 In. Cont. 8 Ft.	5½ In. Cont. 10 Ft.	4 In. Semi-Cont.
Fabric	3 In. x 16 In.	3 In. x 16 In.	2 In. x 16 In.
Gauge of Longitudinal Wire	No. 3	No. 4	No. 5
Distance—Inches	0.242	0.227	0.207
Area—Square Inches	0.0460	0.0405	0.0337
Elongation in 7 Inches %	3.1	2.8	1.9
Reduction in Area %	54.5	62.0	53.1
Yield Point—Pounds Per Square Inch	67300	81500	74300
Ultimate Strength—Pounds Per Square Inch	87500	86000	78600

In view of the claims that cinder concrete is corrosive to steel accelerated corrosion tests conducted by Professor Theodore Crane of Yale University on ½ in. rods embedded in cinder concrete and aerocrete and exposed in water actuated by an air jet, so as to keep the material moist, over a period of eight weeks, gave the following results:

Cinder Concrete	6.50% loss in weight
Aerocrete	0.44% loss in weight

Fire Tests.

A four-hour fire test of Aerocrete floor construction was made by Columbia University, Report FW 42, January 3, 1929. This construction consisted of a test floor made up as follows:

Type I—Construction consists of reinforced stone concrete ribs 20 in. on centers and having a width of 4 in. at the top and 4½ in. at the bottom, and a thickness of 4½ in. between precast or cast-in-place Aerocrete fillers 4½ in. thick, 16 in. wide at the top, and 15½ in. wide at the bottom.

Type II—Construction consists of a poured-in-place Aerocrete slab 10½ in. thick with a ½ in. Portland cement mortar finish on top.

The results of the test indicate that the temperature of the lower flange of westerly I beam did not exceed 221 degrees Fahrenheit total for Type II during the four hours of the test (starting temperature 31 degrees Fahrenheit) while the unexposed surface of the Type I

floor reached a temperature of 212 degrees Fahrenheit which was within the permitted 250 degrees Fahrenheit rise.

The Building Department, Borough of Manhattan, issued an approval dated April 2, 1929, on both types of floors when protected with precast or poured-in-place Aerocrete and as fireproof floor fill between beams and girders.

General.

In order to consider the empirical formula of C26-620.0 (10.3.2.4), it is pertinent to compare the results obtained by the empirical formula with results of the Columbia Tests. The comparison including a ratio of the computed results to the load tests are as follows:

Slab	Designed Load Formula W—3CA ⁵ L ²	Ultimate Load From Test Data	Ratio of Test Load to Formula Load
5½ in. thick 10 ft. continuous	124 p.s.i.	750 p.s.i.	6.05
4 in. thick 8 ft. continuous	200 p.s.i.	666 p.s.i.	3.33
4 in. thick semi-continuous	173 p.s.i.	861 p.s.i.	4.98

The empirical formulas in the code were predicated on Paper No. 141 entitled Cinder Concrete Floor Construction Between Steel Beams by Messrs. Perrine and Strehan Transactions ASCE, page 523.

Time has proven the value of this formula as is evidenced by its general acceptance, and adoption in the Administrative Building Code.

The tests conducted in 1915 indicate a wide range of moduli of elasticity and that only by approximating an average value could a satisfactory basis be established. Even though the coefficients of moduli of elasticity vary considerably (as they do in all concretes) the construction behaved in sufficiently close conformity to their theory so that a formula was developed within the limits of the safe load carrying capacity and permissible deflections, the compressive strength of cinders being taken at 700 lbs. per sq. in.

A further analysis of concrete construction with a wide range in moduli of elasticity show only minor changes in the design stress and at best results in a slight increase in the stresses of the reinforcing steel. In the A.C.I. Code 2-25-36, chapter 6, it provides that "in determining the ratio for design purposes, the modulus of elasticity for the concrete shall be taken as 1,000 f'c and that for steel as 30 million pounds per sq. in. where f'c is the ultimate compressive strength of concrete." On this basis, the modulus of elasticity of Gritcrete would be approximately one million.

$$W-3CA^5$$

The formula $\frac{W-3CA^5}{L^2}$ clearly indicates that the modulus of elasticity plays no direct part in arriving at the gross loads, and a study of the Perrine Strehan paper clearly indicates that the modulus elasticity of cinder concrete played a minor part in the results obtained by them.

The foregoing analysis of test loads to computed loads indicate that Gritcrete is a material which can well come within the purview of such empirical formula.

On the basis of the foregoing data, it is apparent that this relatively new construction known as Gritcrete can be safely used in short span construction when designed in accordance with the aforementioned empirical formula. Numerous specific approvals and load tests on completed floor constructions have been made by several borough superintendents in recent years, further justifying the integrity of this construction.

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Recommendations.

On the basis of the foregoing data, the Committee recommends the approval of Gritcrete for use as follows:

As a permissive type of fireproofing under C26-575.0 (10.1.4), grade 1, as a substitute for cinder concrete in floor and roof construction short span under C26-620.0 W-3CA^s

a-d (10.3.2.1-4) using the empirical formula L^2

provided that the average ultimate compressive strength of not less than three 6 in. cubes as determined by compression tests at end of twenty-eight days when made of a mix as provided herein, shall be not less than 1,000 pounds per sq. in. with no individual minimum less than 800 pounds per sq. in. "For such concrete the safe fibre stress may be taken as 200 pounds per sq. in. and n , as defined in section C26-470.0 shall equal 30 and the strength figured by the usual methods."

The ingredients of the proposed mixture of Gritcrete weighing 108 pounds per cu. ft. shall consist of one part of approved cement to $5\frac{1}{2}$ parts aggregate (sand and grit) by dry rodded weight, and so graded as to give a fineness modulus as defined by A.S.T.M. C125-36T between 4.0 and 4.3 and with total water of not more than $8\frac{3}{4}$ gallons to the bag. This mixture shall be aerated by adding Gritcrete Compound No. 1 (a dry metallic powder) in the ratio of six ounces of powder to a bag of cement. Where weather conditions necessitate Compound No. 2, an alkaline solution, mixed in proportions of one pound of such compound to two gallons of water may be added in amounts not to exceed three quarts to a bag of cement. The amount of this water added shall be included in arriving at the maximum water cement ratio given above in the mixing water.

The proportioning, mixing, handling and placing shall be under the supervision of a qualified representative of the Aerocrete Corporation *continuously* during the pouring of all floors and fireproofing.

Field tests as provided for in C26-501.0 (8.5.33) in so far as applicable to this material shall be made by the borough superintendent of buildings. All reinforcing steel used herein shall conform to the requirements of C26-318-9.0 (7.1.2.4.5) and comparable to the test values of reinforcing mesh as provided herein and shall be protected as required in C26-5090 (8.5.41). *Gritcrete is to be used only where cinder concrete is permitted.*

It is further recommended that each plan filed with the Department of Housing and Buildings be stamped or otherwise marked reading as follows: "The Gritcrete to be used is as approved by the Board of Standards and Appeals for use in New York City under Cal. No. 33-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Gritcrete Short Span Construction and Fireproofing, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

410-39-SM.

APPLICANT—Keystone Roofing Manufacturing Company, owner.

SUBJECT—Keystone Roofing Manufacturing Company Roofing Materials, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(410-39-SM)

WHEREAS, Keystone Roofing Manufacturing Company, owner, filed March 31, 1939, an application with the Board of Standards and Appeals for approval of the material known as Keystone Roofing Manufacturing Company Roofing Materials; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Cal. No. 410-39-SM.

Subject: Keystone Roofing Manufacturing Company Roofing Materials, approval of.

The Keystone Roofing Manufacturing Company, owner, of Windsor Park, York, Pennsylvania, filed March 31, 1939, an application with the Board of Standards and Appeals for approval of their roofing materials as listed herein, under tests specified in C26-680 (10.12.11.1) and Group 16, Art. 2 (10.1.16), Administrative Building Code.

These roofings are manufactured by the applicant at their plant located in Windsor Park, York, Pennsylvania.

The following test samples consisted of complete assemblies of roof deck and covering, as it is applied in practice, and having an area of twelve (12) sq. ft. Upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of the spread of flame, ignition of the wood decking and the area and depth of charring. Results of these tests and specification for heavier or more protective roof coverings, including roof coverings of greater coverage than the specific specimens tested, are described herein. The quantities of waterproofing materials used between plies are thirty pounds per square and top moppings of any smooth surface specimen is fifty pounds per square, except cap sheet which is thirty-four pounds per square. Where slag or gravel was used, the top pouring of asphalt was fifty pounds per square. The asphalt used, had a melting point of 150-160 degrees Fahrenheit. The asphalt-saturated rag felt is made up of approximately 70 per cent. roofing rags and 30 per cent. stock filler (paper) with weight and coverage per roll as listed below:

Smooth surface	
35 lb.-45 lb.-55 lb.	108 sq. ft. 35-45-55 35-45-55

The tests were made at the plant of the applicant at Windsor Park, York, Pennsylvania, and witnessed by a Committee of the Board. The equipment consisted of electric fans set at a distance of 5 ft. from the burning brands and regulated to deliver a horizontal current of air at a velocity of six miles per hour, 2 ft. distant from the fan. All brands used were kiln-dried spruce consisting of thirty-six pieces $\frac{3}{8}$ in. x $\frac{3}{8}$ in. x 6 in. securely nailed. The deck construction was $\frac{7}{8}$ in. wood sheathing made up in panels 3 ft. by 4 ft.

Shingles.

Test No. 1.

12 in. x 36 in. Standard Weight Strip Shingles provide two-layer coverage over 98 per cent. of roof area and three-layer coverage over 38 per cent. of roof area. Shingles per square 80 average weight per square 210 pounds headlap 2 in. Underwriters' Label Class C. The shingle was tested with results as follows:

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12 in. x 36 in. Standard Weight Strip Shingles applied over $\frac{7}{8}$ in. wood board on an incline of 4 in. per foot.
 Time until flame was out: 17 min. 10 sec.
 Time until brand was consumed: 18 min. 30 sec.
 Plies consumed at any point: Both plies
 Area of wood deck charred: none
 Depth of charring: none
 Surface area burned: 6 in. x $10\frac{1}{2}$ in.
 Surface area stained: 8 in. x 15 in.
 Similar shingles which provide either heavier construction or greater headlap are manufactured as follows:
 Keystone 10 in. Standard Weight Strip Shingles
 Size: 10 in. x 36 in.
 Provides two-layer coverage over 96 per cent. of the roof area.
 Approximate weight per square: 210 pounds.
 Headlap: 2 in.
 Exposure to weather: 4 in.
 Shingles per square: 100.
 Underwriters' Label "C"
 Keystone $12\frac{1}{2}$ in. Standard Weight Strip Shingles
 Size: $12\frac{1}{2}$ in. x 36 in.
 Provides two-layer coverage over the entire roof area.
 Three layers: 93 per cent.
 Approximate weight per square: 266 pounds
 Headlap: $4\frac{1}{2}$ in.
 Exposure to weather: 4 in.
 Shingles per square: 100
 Underwriters' Label "C"
 Test No. 2.
 11-1/3 in. x 36 in. Standard Two-Tab Hexagon Strip Shingles
 Provides two-layer construction over 76 per cent. roof area
 Average weight per square: 167 pounds
 Strips per square: 86
 Exposure on roof: 4-2/3 in.
 Underwriters' Class C label: 2 in. headlap
 This shingle was tested with results as follows:
 Roof deck: $\frac{7}{8}$ in. wood sheathing
 Pitch of test deck: 4 in.
 Size of fan: 12 in.
 Air velocity: $2\frac{1}{2}$ ft. from fan six miles per hour
 Distance of brand from fan: $5\frac{1}{2}$ ft.
 Time until flame is out: 20 min. 5 sec.
 Time until brand is consumed: 21 min. 40 sec.
 Plies consumed at any point: all except felt underlay
 Area of wood deck charred: none
 Depth of charring: none
 Surface area burned: 8 in. x 13 in.
 Surface area stained: 14 in. x 17 in.
 Similar shingles which provide either heavier construction or greater headlap are manufactured as follows:
 Keystone 14 in. Standard Weight Three-Tab Hexo Strip Shingle
 Size: 14 in. x 42 in.
 Provides two-layer coverage over entire roof. Three layers over 50 per cent.
 Approximate weight per square: 221 pounds
 Headlap: 4-2/3 in.
 Shingles per square: 74
 Underwriters' Label "C"
 Keystone 14 in. Standard Weight Two-Tab Hexo Strip Shingles
 Size: 14 in. x 36 in.
 Provides double coverage over the entire roof. Fifty per cent triple coverage
 Approximate weight per square: 221 pounds
 Headlap: 4-2/3 in.
 Exposure to weather: 4-2/3 in.
 Shingles per square: 86
 Underwriters' Label "C"
 Keystone 11-1/3 in. Standard Weight Three-Tab Hexo Strip Shingle

Size: 11-1/3 in. x 42 in.
 Provides two-layer coverage over 78 per cent of the roof area.
 Approximate weight per square: 167 pounds
 Headlap: 2 in.
 Exposure to weather: 4-2/3 in.
 Shingles per square: 74
 Underwriters' Label "C"
 Keystone 12 in. Standard Weight Two-Tab Hexo Thatch Strip Shingles
 Size: 12 in. x 40 in.
 Provides two-layer coverage over 63 per cent. of the roof area. Three-layer, 17 per cent.
 Approximate weight per square: 167 pounds
 Headlap: $2\frac{5}{8}$ in.
 Exposure to weather: 4-2/3 in.
 Shingles per square: 78
 Underwriters' Label "C"
 Keystone 12-1/3 in. Giant Weight Hexo Strip Shingles
 Size: 12-1/3 in. x 36 in.
 Provides two-layer coverage over 89 per cent. of roof area
 Approximate weight per square: 230 pounds
 Headlap: 3 in.
 Exposure to weather: 4-2/3 in.
 Shingles per square: 86
 Underwriters' Label "C"
 Test No. 3.
 10 in. x 36 in. Standard Square Butt Shop Shingle
 Provides two-layer coverage over 96 per cent. roof area
 Average weight per square: 210 pounds
 Strips per square: 100
 Underwriters' Class "C" Label
 Surfacing of shingle: mineral
 Exposure on roof—four weeks: 2 in. headlap
 Used on new roof or reroofing over existing old roof.
 This shingle was tested with results as follows:
 Roof deck: $\frac{7}{8}$ in. wood sheathing
 Pitch of test deck: 4 in.
 Size of fan: 12 in.
 Air velocity: $2\frac{1}{2}$ ft. from fan six miles per hour
 Distance of brand from fan: $5\frac{1}{2}$ ft.
 Time until flame is out: 15 min. 20 sec.
 Time until brand is consumed: 16 min. 30 sec.
 Plies consumed at any point: top shingle
 Area of wood deck charred: none
 Depth of charring: none
 Surface area burned: 8 in. x 14 in.
 Surface area stained: 10 in. x 15 in.
 Similar shingles which provide either heavier construction or greater headlap are manufactured as follows:
 Test No. 4.
 12 in. x 36 in. Keystone 12 in. Extra Heavy Weight Felt Strip Shingle.
 Average weight per square: 234 pounds
 Material per square: 80 shingles
 Provides two-layer coverage over 98 per cent. of roof area
 Exposure on roof: 5 in. exposure and 2 in. headlap
 Surfacing of shingle: mineral
 Underwriters' Classification Class "C" Label
 This shingle was tested with results as follows:
 Roof deck: $\frac{7}{8}$ in. wood sheathing
 Pitch of test deck: 4 in.
 Size of fan: 12 in.
 Air velocity: $2\frac{1}{2}$ ft. from fan, six miles per hour
 Distance of brand from fan: $5\frac{1}{2}$ ft.
 Time until flame is out: 24 min. 25 sec.
 Time until brand is consumed: 26 min. 15 sec.
 Plies consumed at any point: all shingle plies
 Area of wood deck charred: none
 Depth of charring: none
 Surface area burned: 8 in. x 12 in.
 Surface area stained: 9 in. x 13 in.
 Similar shingles which provide either heavier construction or greater headlap are manufactured as follows:

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Keystone Giant Weight Self-Spacing Rev. Rect. Shingles
Size: $10\frac{3}{4}$ in. x $15\frac{1}{2}$ in.

Approximate weight per square: 285 pounds
Headlap: 4 in.

Exposure to weather: $5\frac{3}{4}$ in.

Shingles per square: 232

Packages per square: 4

Provides two-layer coverage over 98 per cent. of roof area. Triple coverage, over 72 per cent., and single coverage, 1 per cent.

Keystone Giant Weight Rect. Shingles

Size: 12 in. x 16 in.

Approximate weight per square: 325 pounds

Headlap: 6 in.

Exposure to weather: 5 in.

Shingles per square: 228

Packages per square: 4

Underwriters' Label "C"

Provides two-layer coverage over the entire roof. Three-layer, 94 per cent.

Keystone 12 in. Extra Heavy Weight Felt Strip Shingles

Size: 12 in. x 36 in.

Approximate weight per square: 234 pounds

Headlap: 2 in.

Exposure to weather: 5 in.

Shingles per square: 80

Packages per square: 2

Underwriters' Label "C"

Provides two-layer coverage over 98 per cent. of the roof area. Three layers, over 38 per cent.

Keystone 12 in. Giant Weight Strip Shingles

Size: 12 in. x 36 in.

Approximate weight per square: 242 pounds

Headlap: 2 in.

Exposure to weather: 5 in.

Shingles per square: 80

Packages per square: 3

Underwriters' Label "C"

Provides two-layer coverage over 98 per cent. of the roof area. Three layers, over 38 per cent.

All of the foregoing specifications may be used either for new roofs or for re-roofing for inclines up to 4 in. per foot.

Roll Roofing Materials.

The following tests were conducted on roof construction made up of roll roofing material for new and re-roofing work for inclines not greater than 3 in. per horizontal foot, with results of tests as follows:

Keystone Anchor Smooth Talcum Surfaced Roll Roofing built up over $\frac{7}{8}$ in. sheathing of one-ply 35-pound asphalt saturated felt.

The deck was subjected to the brand test with results as follows:

Time until flame is out: 20 min. 5 sec.

Time until brand is consumed: 22 min. 45 sec.

Plies consumed at any point: all plies

Area of wood deck charred: 9 in. x 7 in.

Depth of charring: $\frac{3}{8}$ in.

Surface area burned: 8 in. x 10 in.

Surface area stained: 9 in. x 14 in.

Where used, one-ply of 15-pound asphalt-saturated felt should be used under the roll roofing, thoroughly mopped up with asphalt weighing not less than 35 lbs. per square.

Test No. 6 was withdrawn.

Test No. 7.

Keystone Built-Up Roof Specification No. 1 (without gravel) on $\frac{7}{8}$ in. wood sheathing with three layers of 12-pound asphalt-saturated felt, mopped solid.

The deck was subjected to the brand test with results as follows:

Time until flame is out: 19 min. 5 sec.

Time until brand is consumed: 21 min. 25 sec.

Plies consumed at any point: all

Area of wood deck charred: 4 in. x 5 in.

Depth of charring: slight

Surface area burned: 9 in. x 12 in.

Surface area stained: 10 in. x 15 in.

Test No. 8. (Omitted).

Test No. 9.

Keystone Built-Up Roof Specification No. 13 (without gravel) on $\frac{7}{8}$ in. wood sheathing with three-ply asphalt-saturated rag felt base sheet, then one layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt, surface lapped 34 in. to the weather so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, lapped 34 in. to the weather, each sheet mopped with thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

This deck was subjected to the brand test with results as follows:

Time until flame is out: 30 min. 15 sec.

Time until brand consumed: 33 min. 45 sec.

Plies consumed: all

Area of deck charred: 5 in. x 5 in.

Depth of charring: slight

Surface area burned: 8 in. x 9 in.

Surface area stained: 8 in. x 10 in.

Test No. 10.

Keystone Built-Up Roof Specification No. 13-A
Keystone three-ply asphalt-saturated felt built-up roof, with cap sheet, over $\frac{7}{8}$ in. wood deck, composed of one 12-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather. Then one layer of 12-

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pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 34 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

For new roof or re-roofing over old roof. Underwriters' classification none.

The deck was subjected to the brand test with results as follows:

Time until flame is out: 24 min. 10 sec.

Time until brand is consumed: 26 min. 30 sec.

Plies consumed at any point: all

Area of wood deck charred: 5 in. x 5 in.

Depth of charring: slight

Surface area burned: 8 in. x $9\frac{1}{2}$ in.

Surface area stained: 9 in. x 11 in.

Similar roofings of heavier construction are manufactured as follows:

Keystone Built-Up Roof Specification No. 13-B

Keystone three-ply asphalt-saturated felt built-up roof, with cap sheet, over wood deck, composed of one 15-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather. Then one layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 34 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 190-200 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 13-C

Keystone three-ply asphalt-saturated felt built-up roof, with cap sheet, over wood deck, composed of one 12-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather. Then one layer of 12-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 34 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 190-200 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 14-14-A

Keystone four-ply asphalt-saturated felt built-up roof, with cap sheet, over wood deck, composed of one 15-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather. Then a second and third layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 17 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 15-15-A

Keystone five-ply asphalt-saturated felt built-up roof, with cap sheet, over wood deck, composed of one 30-pound or two 15-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather for the 30-pound and 17 in. to the weather for the 15-pound. Then a second and third layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 17 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 16-16-A

Keystone three-ply asphalt-saturated felt built-up roof, with cap sheet, over non-combustible deck, composed of one coating of asphalt primer, approximately one gallon per square, one 15-pound asphalt-saturated rag felt base sheet, mopped solid to the roof deck, laid 34 in. to the weather. Then one layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 34 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 17-17-A

Keystone four-ply asphalt-saturated felt built-up roof, with cap sheet, over non-combustible deck, composed of one coating of asphalt primer, approximately one gallon per square, one 15-pound asphalt-saturated rag felt base sheet, mopped solid to the roof deck, laid 34 in. to the weather. Then a second and third layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 17 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Keystone Built-Up Roof Specifications No. 18-18-A

Keystone five-ply asphalt-saturated felt built-up roof, with cap sheet, over non-combustible deck, composed of one coating of asphalt primer, approximately one gallon per square, one 30-pound or two 15-pound asphalt-saturated rag felt base sheet, mopped solid to the roof deck, laid 34 in. to the weather for the 30-pound or 17 in. to the weather for the 15-pound. Then a second and third layer of 15-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 17 in. to the weather, so that no felt touches felt. On top of this is laid one layer of 34-pound Keystone Cap Sheet, cemented in asphalt, lapped 34 in. to the weather. Each sheet mopped with approximately thirty pounds of 190-200 degrees Fahrenheit melting point asphalt per single square. For inclines, $\frac{1}{4}$ in. to 3 in. per foot.

Test No. 11.

Keystone Built-Up Roof Specification No. 1 (with gravel)

Keystone three-ply asphalt-saturated felt built-up roof, slag or gravel, over $\frac{7}{8}$ in. wood deck, composed of one 12-pound asphalt-saturated rag felt base sheet. Felt nailed 34 in. to the weather. Then the second and third layer of 12-pound asphalt-saturated rag felt, mopped solid over the base felt surface, lapped 17 in. to the weather, so that no felt touches felt. Each sheet mopped with approximately thirty pounds of 150-160 degrees Fahrenheit melting point asphalt per single square, surfaced with a top pouring of approximately fifty pounds of asphalt into which is embedded a surfacing of gravel on the basis of 400 pounds (or slag 300 pounds) per 100 square feet of roof area. And when without the gravel or slag surface, the top pouring is approximately thirty pounds of asphalt per 100 square feet of roof area. For inclines, $\frac{1}{4}$ in. to 3 in. per foot. The deck was subjected to the brand test with results as follows:

Time until flame is out: 22 min. 10 sec.

Time until brand is consumed: 23 min. 30 sec.

Plies consumed at any point: top ply

Area of wood deck charred: none

Depth of charring: none

Surface area burned: none

Surface area stained: 7 in. x 7 in.

Similar materials of heavier construction are manufactured as follows:

Specifications No. 2-2A—Four-ply asphalt-saturated

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felt built-up roof, one 24-pound or two 12-pound asphalt-saturated rag felt base.
Specifications No. 3—3A—Five-ply asphalt-saturated felt built-up roof.
Specifications No. 4—4A—Three-ply over non-combustible deck.
Specifications No. 5—5A—Four-ply over non-combustible deck.
Specifications No. 6—6A—Five-ply over non-combustible deck.
Specifications No. 7—7A—Three-ply asphalt-saturated felt built-up roof, slag or gravel, over wood deck, with one 15-pound asphalt-saturated base sheet.
Specifications No. 8—8A—Four-ply asphalt-saturated felt built-up roof, slag or gravel, over wood deck, with one 15-pound asphalt-saturated base sheet.
Specifications No. 9—9A—Five-ply asphalt-saturated felt built-up roof, slag or gravel, over wood deck, with one 15-pound asphalt-saturated base sheet.
Specifications No. 10—10A—Three-ply asphalt-saturated felt built-up roof, slag or gravel, over non-combustible deck, one 15-pound base sheet.
Specifications No. 11—11A—Four-ply, as above, with one 30-pound or two 15-pound base sheets.
Specifications No. 12—12A—Five-ply, as above.
Test No. 12 withdrawn
Shingle Test. Al-Way. $13\frac{1}{2}$ in. x $13\frac{3}{4}$ in. double slate surfaced asphalt shingle exposure to weather 4 in. over $\frac{7}{8}$ in. wood deck. Angle of deck, 3 in. to 1 ft. Underwriters' classification none.
The deck was subjected to brand test with results as follows:
Time until flame is out: 20 min. 49 sec.
Time until brand consumed: 22 min. 50 sec.
Plies consumed: all
Area of wood deck charred: slight
Depth of charring: slight
Surface area burned: 8 in. x 9 in.
Surface area stained: 10 in. x 14 in.

RECOMMENDATIONS.

As a result of these tests, the Committee recommends approval under C26-680 A.C. (10.12.11.1 BC) and Group 16, Art. 2 A.C. titled "TESTS OF ROOF COVERINGS" (10.1.16 BC) of the Keystone Roofing Materials as listed herein under the following conditions:

SLAG OR GRAVEL SURFACED ROOFING:
Wherever these roofings are applied, they shall be protected with three (3) pounds of slag or four (4) pounds of graded gravel (screened $\frac{1}{4}$ to $\frac{5}{8}$ per square foot of roofing and imbedded in a pouring of asphalt). Where promenades are provided over these roofings, they shall be protected by either quarried slate or ceramic tile, not less than 6 in. x 6 in. x $\frac{1}{4}$ in., firmly imbedded in asphalt or Portland cement mortar, which construction may be used in lieu of slag or gravel surfacing.

SHINGLES.

Approval is recommended on all classes of shingles as listed herein, except that in Test Nos. 1, 2 and 4 shingles over new roofs shall be placed over one layer of 15-pound felt. In all cases, however, the use of these shingles as listed in this report is limited to roofing or re-roofing of frame residential construction.

ROLLS AND ASPHALT.

Approval is recommended on Keystone Saturated Asphalt Rag Felts in weight of 12 lbs. (the use of this weight material shall be limited to slag or gravel roofs approved herein), also 14 lb., 15 lb. and 30 lb. felts when made with asphalt 160-180 degrees Fahrenheit melting points with penetration 23-25 at 77 degrees Fahrenheit 100 grams for 5 seconds.

GENERAL.

Approval of these roofings is recommended on condition that the weight, thickness and plies of material shall not be less for any group than that specified for the specimen tests.

Nothing herein contained shall preclude the use of heavier or additional plies of saturated rag felt, provided that the total weight and number of plies used shall equal or exceed that approved for any specification tested herein. These roofings may be applied to either combustible or non-combustible decks as specifically provided herein.

It is also recommended that this roofing material when used in New York City shall have each package or roll clearly marked or labeled "Approved by the Board of Standards and Appeals for use in New York City when installed in accordance with these specifications under Cal. No. 410-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Keystone Manufacturing Company Roofing Materials, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

638-39-SM.

APPLICANT—Clyde H. Baird, for Federal American Cement Tile Company, owner.

SUBJECT—Federal American Precast Concrete Floor and Roof Slabs, approval of.

APPEARANCES—

For Applicant: George E. Strehan and Clyde H. Baird.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(638-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 14, 1940.

Re: Cal. No. 638-39-SM.

Subject: Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs, approval of.

Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Nailable Tongue and Groove Concrete Plank for Floor and Roof Construction under the provisions of the Administrative Code as hereinafter provided.

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Manufacture.

The planks are manufactured of nailable aerated concrete composed of one part Portland cement and three parts of washed, hard coal steam cinders, screened through a $\frac{3}{8}$ -inch mesh, by measured volume, with addition of weighed quantities of calcium chloride flakes and foaming compound. The mixture is turned over and aerated in a rotary drum mixer until the resulting wet concrete attains a density of seventy-five pounds per cubic foot as measured in quart samplers from each batch.

The planks are cast on edge in metal moulds and are tongued and grooved on sides and ends. The planks are 2 in. and $2\frac{3}{4}$ in. thick, 12 in. and 16 in. wide, 9 ft. and 10 ft. 6 in. in length. They are reinforced with cold-drawn welded wire mesh in two layers, adjacent to upper and lower surfaces, spaced $1\frac{1}{2}$ in. apart in the 2 in. plank and 2 in. apart in the $2\frac{3}{4}$ in. plank, held in position by cross-ties at the junction of the longitudinal and transverse reinforcement, consisting of No. 12 gauge wire secured to the two layers of reinforcement. In one type of plank, Type 4, the reinforcement consists of a single layer of Intermediate Grade deformed steel longitudinal and transverse bars welded at the intersection and placed in the center of the plank. The reinforcement varies in amount with type, span and load and as described herein for each test. The $2\frac{3}{4}$ in. Type 1A plank was reinforced with an additional transverse rod of No. 8 gauge wire at center of each end.

The planks were manufactured at the Lincoln, New Jersey, plant of the Federal-American Cement Tile Company, and the tests were conducted at the plant of the company in the presence of the representative of the Committee of the Board at an age of thirty-one to thirty-five days.

Testing.

Control cylinders were cast from each batch of concrete used in the manufacture of the plank and were tested at an age of twenty-eight days, resulting in an average compressive strength of 877 pounds per square inch and a density of *seventy-eight pounds* per cubic foot dry in place.

To determine the strength of plank with four different types of mesh reinforcement and one type of deformed bar reinforcement, tests were made on simple spans of lengths as noted in the test logs, together with a *Master Control Panel Test* of continuous plank, installed as in practice on the maximum span for each type of reinforcement and thickness of plank, as shown in Table No. 1.

All transverse load tests were made with third-point loading, consisting of weighed concrete plank in the Master Control Tests applied on a timber platform to secure balanced concentrations. In the Simple Span Tests, the load was applied through an hydraulic ram with calibrated gauge reading to the nearest twenty-five pounds of gross load applied at third points.

In the Master Control, panels consisting of three equal spans, five or six planks wide, the center span was loaded to its ultimate capacity and the end spans to one-quarter of this amount simultaneously simulating theoretical moment and shear conditions as obtained in continuous construction as shown in Table No. 3.

To compare the effect of continuity, and secure the Conversion Factor to be applied to simple span tests for determination of the relative safe continuous-plank load, the average strength of three simple spans of each specification was used, but in no case was this Adjusted Base taken to exceed five (5) per cent. of any minimum average value of the planned test.

Table 1 gives the Ultimate Test Loads in pounds per square foot of all types and spans tested.

The Conversion factor was taken as the ratio of one-sixth the breaking load for all planks continuous over the supports to one-quarter the breaking load for simple span conditions, to be applied as a constant to the Ad-

justed Base load of all simple span tests in any group; and as the ratio of one-fifth the breaking load to one-quarter the simple span load with joints over the supports at both ends due to the expected increase in strength of the tongue-and-groove connection.

TABLE 1.
Ultimate Test Loads—Pounds Per Square Foot

Type	Thick.	Span	Reinforcement Each Layer	Master Control Test	Adjusted Base
1A	$2\frac{3}{4}$ in.	7 ft.	6 No. 7-16 in.	225	197
1	2 in.	7 ft.	7 No. 7-16 in.	—	121
1	2 in.	6 ft.	7 No. 7-16 in.	195	172
1	2 in.	5 ft.	7 No. 7-16 in.	—	245
1	2 in.	4 ft.	7 No. 7-16 in.	—	368
2	2 in.	5 ft.	5 No. 7-16 in.	268	180
2	2 in.	4 ft.	5 No. 7-16 in.	—	343
2	2 in.	3 ft.	5 No. 7-16 in.	—	559
3	2 in.	3 ft.	4 No. 9-16 in.	620	324
3	2 in.	2'8"	4 No. 9-16 in.	—	536
3	2 in.	2 ft.	4 No. 9-16 in.	—	715
4	2 in.	3 ft.	$3\frac{3}{8}$ in.—16 in.	510	238
4	2 in.	2'8"	$3\frac{3}{8}$ in.—16 in.	—	400
4	2 in.	2 ft.	$3\frac{3}{8}$ in.—16 in.	—	706

Table 2 gives a resume of all Master Control Panel Tests in pounds per square foot with corresponding deflections.

TABLE 2.
Master Control Test Loads—Pounds Per Square Foot.

Type	Span	Work Load	Work Deflection	1st Crack Load	1st Crack Deflection	Final Deflection	Fail- ure
1A	7 ft.	45	5/16 in.	105	$\frac{3}{4}$ in.	$1\frac{3}{4}$ in.	225
1	6 ft.	40	9/64 in.	140	11/16 in.	$1\frac{3}{4}$ in.	195
2	5 ft.	54	3/32 in.	188	7/16 in.	1 in.	268
3	3 ft.	105	9/32 in.	272	$\frac{5}{8}$ in.	$1\frac{1}{4}$ in.	620
4	3 ft.	84	5/64 in.	352	13/32 in.	13/16 in.	510

Table 3 gives a resume of a representative specimen of each type and span of the Minor Simple Span Tests in pounds per square foot.

TABLE 3.
Simple Span Test Loads—Pounds Per Square Foot.

Type	Thick.	Span	Work Load	Ultimate Deflection	Failure	Wt. Per. Sq. Ft.
1A	$2\frac{3}{4}$ in.	7 ft.	45	$2\frac{3}{8}$ in.	221	18.0
1	2 in.	7 ft.	30	$1\frac{3}{4}$ in.	117	13.9
1	2 in.	6 ft.	40	$1\frac{1}{4}$ in.	167	13.7
1	2 in.	5 ft.	56	$1\frac{3}{8}$ in.	245	13.7
1	2 in.	4 ft.	84	1 in.	368	14.0
2	2 in.	5 ft.	54	$1\frac{3}{8}$ in.	172	13.3
2	2 in.	4 ft.	78	1 in.	343	13.4
2	2 in.	3 ft.	128	1 in.	595	13.4
3	2 in.	3 ft.	105	$\frac{1}{2}$ in.	316	13.3
3	2 in.	2'8"	174	$\frac{3}{4}$ in.	583	13.3
3	2 in.	2 ft.	233	$\frac{5}{8}$ in.	713	13.3
4	2 in.	3 ft.	84	$\frac{7}{8}$ in.	260	13.5
4	2 in.	2'8"	140	$\frac{5}{8}$ in.	393	13.7
4	2 in.	2 ft.	248	$\frac{1}{2}$ in.	793	13.8

On the basis of this data, the Committee on Tests recommends the approval of the tongue-and-groove planks listed below as meeting the requirements of C26-619.0, Administrative Building Code (10.3.1) for roofs of Class 1 and Class 2 construction where the fire-protective covering is omitted from the roof trusses and purlins as provided in C26-618.0, Administrative Building Code (10.2.8); under C26-620.0-c 1b, Administra-

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tive Building Code (10.3.2.3, subdiv. 1.6) as a concrete top slab; under C26-626, Administrative Building Code (10.3.8) for simple and continuous spans as noted, and under C26-670, Administrative Building Code (10.12.1) as a roof slab as provided for therein.

1. 2 $\frac{3}{4}$ in. Plank, 12 in. wide by 10 ft. 6 in. long, with six No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft.; Superimposed Load 45 lbs. per sq. ft.

2. 2 $\frac{3}{4}$ in. Plank, 12 in. wide by 10 ft. 6 in. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 54 lbs. per sq. ft.

3. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 30 lbs. per sq. ft.

4. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 37 lbs. per sq. ft.

5. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 34 lbs. per sq. ft.

6. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 50 lbs. per sq. ft.

7. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 40 lbs. per sq. ft.

8. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 45 lbs. per sq. ft.

9. 2 in. Plank, 16 in. wide and 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 5 ft., Superimposed Load 56 lbs. per sq. ft.

10. 2 in. Plank, 16 in. wide and 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 84 lbs. per sq. ft.

11. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 5 ft., Superimposed Load 54 lbs. per sq. ft.

12. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 78 lbs. per sq. ft.

13. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 3 ft., Superimposed Load 128 lbs. per sq. ft.

14. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 3 ft., Superimposed Load 105 lbs. per sq. ft.

15. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft. 8 in., Superimposed Load 174 lbs. per sq. ft.

16. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft., Superimposed Load 233 lbs. per sq. ft.

17. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—Max. Span 3 ft., Superimposed Load 84 lbs. per sq. ft.

18. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—

Max. Span 2 ft. 8 in., Superimposed Load 140 lbs. per sq. ft.

19. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—Max. Span 2 ft., Superimposed Load 248 lbs. per sq. ft. *Note: Span specified is center to center of supporting beams.*

The Committee further recommends that all planks be manufactured and installed under the direct supervision of the Federal-American Cement Tile Company, and that this approval be subject to the following design and erection conditions: That cylinders of the cinder concrete mixture develop a minimum compressive strength of 700 pounds per square inch at twenty-eight days and weighing seventy-eight pounds per cubic foot (dry weight); that the concrete be mixed with a water cement ratio of not more than seven gallons of total water to a bag of cement; that the dead weight of plank be placed as 6.5 pounds per square foot per inch of thickness; that if the plank is shipped at an age of between seven and twenty-one days, it shall be manufactured of approved High Early Strength Portland Cement; that each plank have at least two (2) bearing supports; that each plank be secured to each purlin or beam support with approved No. 20 U. S. gauge galvanized steel anchors formed to fit the tongue and groove of the plank and the flange of the beam and nailed in place with six-penny galvanized nails; that all side and end tongue and groove joints be slush grouted in place with Portland cement mortar, and that each plank made for use under this approval be marked as follows:

“Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 638-39-SM”, or, in lieu thereof, a stamp bearing the following inscription within a circle, around the periphery at the top, the word “Approved”, along the bottom “B.S. & A.”, in the center two lines, upper reading, “N.Y.C.”, the lower reading, “638-39-SM”.

The Committee further recommends that these approvals supercede the spans and loads approved under Cal. No. 465-38-SM for tongue and groove plank of this manufacture.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

465-38-SM.

APPLICANT—Federal-American Cement Tile Company, owner.

SUBJECT—Featherweight Concrete Plank and Joist for Floor and Roof Construction, manufactured by Federal-American Cement Tile Company, Rescindment of resolution adopted by the Board on July 22, 1938.

ACTION OF BOARD—Rescindment of resolution of the Board of July 22, 1938.

THE VOTE TO RESCIND RESOLUTION OF THE BOARD OF JULY 22, 1938—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

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Negative 0
Absent: Deputy Chief Gunn 1

THE RESOLUTION—

(465-38-SM)

WHEREAS, Featherweight Concrete Plank and Joist for Floor and Roof Construction, as manufactured by the Federal-American Cement Tile Company, owner, was approved by the Board of Standards and Appeals on July 22, 1938; and

WHEREAS, under Cal. No. 638-39-SM the Federal-American Cement Tile Company requested the approval of their material known as the Federal-American Precast Concrete Floor and Roof Slabs; and

WHEREAS, this material was approved by the Board on July 16, 1940, and in its recommendation of approval, the report of the Committee on Tests recommended the rescindment of the action of the Board on Cal. No. 465-38-SM, dated July 22, 1938.

Resolved, that the action of the Board on July 22, 1938, relative to the approval of the Featherweight Concrete Plank and Joist for Floor and Roof Construction, be and it hereby is rescinded.

677-39-SM.

APPLICANT—Pennsylvania Dixie Corporation, owner.

SUBJECT—Penn-Dixie Dark Portland Cement (Bath Mill), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(677-39-SM)

WHEREAS, Pennsylvania-Dixie Cement Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the material known as Penn-Dixie Dark Portland Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 13, 1940.

Cal. No. 677-39-SM.

Subject: Penn-Dixie Dark Portland Cement (Bath Mill), approval of.

On May 22, 1939, the Penn-Dixie Cement Corporation filed an application for approval of Penn-Dixie Dark Portland Cement as manufactured by it at Plant No. 6, Bath, Pennsylvania, for use in New York City pursuant to Sec. C26-312.0c-1 of the Administrative Code.

The manufacturing process is as follows: The rock is drilled and blasted considerably in advance of quarrying and is loaded by electric shovel and conveyed by trucks and cars to a 36 in. x 60 in. roll jaw crusher. The product of this crusher is conveyed to a vibrating screen from which the fine material is conveyed directly to storage. The oversize from the screen is recrushed by means of a large hammer mill and is stored separately. The material which passes the screen has a lower lime content than the material that is rejected by the screen and the final mix is subsequently made by properly proportioning these two fractions. The operations so far described take place at the Plant No. 4 at Nazareth, Pennsylvania.

From the storage at Plant No. 4 the two fractions of stone are transported separately to the storage of Plant

No. 5 which lies between Plants No. 4 and No. 6. There the two fractions are stored separately in a large auxiliary storage. Proportioning is there accomplished by a large number of small feeders in a tunnel under the storage and conveyed to the loading terminal of the second tramway which carries the stone to the storage at Plant No. 6. This storage consists of six silos which are filled consecutively. Stone is withdrawn from these six silos simultaneously thus accomplishing a thorough blending of the material.

This stone is then fed over a Waytrol feeder to two stone dryers along the weighed quantities of iron ore and sand.

The dried raw materials are pulverized by means of ball mills and tube mills and the pulverized raw materials are delivered to the kiln bins by means of appropriate conveyors.

Burning is accomplished in a battery of seven rotary kilns, four of which are 9 ft. in diameter and 125 ft. long, and three of which are 7 ft. 6 in. and 6 ft. in diameter and 125 ft. long. Firing of the kilns is by pulverized coal from the front end of the kiln and the clinker zone temperature is maintained at approximately 2,700 degrees Fahrenheit, as determined by radiation pyrometers. Three of the large kilns are equipped with Fuller air-quenching coolers.

The clinker are conveyed by means of a clinker crane to a clinker storage which is divided into several sections by means of walls.

The clinker is withdrawn from the storage by means of the same crane and delivered to a crusher from which it is conveyed to scales that proportion and mix with the clinker a predetermined proportion of gypsum.

The mixture of clinker and gypsum is then conveyed alternately to a Bethlehem Bear Cat Mill or to three ball tube mills which do the preliminary grinding. The product is these mills is then delivered to a battery of tube mills in which the grinding is completed.

The finished cement is conveyed to a series of storage bins from which it is finally drawn by screw conveyors and elevators and conveyed to the packing machines for shipment.

The controls of the manufacturing process are as follows:

Samples of the cement rock are taken from the drillings made in advance of quarrying.

The proportioning of the two fractions of stone at Plant No. 5 is controlled by the analysis of samples taken from a continuous sampler where the mix stone is delivered to the tram terminal. Further samples of raw material are taken at Plant No. 6 after the grinding operation at intervals of one and one-half hours.

Clinker samples are taken from each kiln at one and one-half hour intervals for visual inspection, and averages of these samples are made for free lime determination. Complete analysis is made on a twenty-four-hour average.

Continuous samples of the finished product are taken at one and one-half hour intervals and fineness, soundness and setting time determined for each sample. Composites of these samples are made up for each bin for complete physical and chemical tests.

This cement is also manufactured in a darker color by adding less than 1 per cent. carbon black. When the carbon black is added, the surface area is increased and the compressive and tensile strengths are also increased. The normal consistency remains the same.

It is estimated that there is a sufficient supply of consistently homogenous raw materials available for at least thirty years at the present rate of manufacture.

This cement was tested in the presence of a representative of the Committee on Tests, at the applicant's laboratory, Bath, Pennsylvania, with the following results:

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	Chemical Analysis.		Fed. Spec.
	As Tested	A.S.T.M. Spec. C9-38	SSC-191-a
SiO ₂	21.22		
Al ₂ O ₃	4.40		7.50
Fe ₂ O ₃	4.08		6.00
CaO	63.22		
MgO	3.44	5.00	5.00
SO ₃	1.71	2.00	2.00
Ig. Loss	1.38	4.00	3.00
Total	99.45		
Ins. Res.	.19	0.85	0.75
C ₃ A	4.74		15.00
C ₃ S	55.71		
C ₂ S	18.88		
C ₄ AF	12.40		
CaSO ₄	2.90		
Free Mgo	3.44		
Free CaO	1.31		
Ig			

Physical Tests.

*Tensile Strength (1:3 Standard Mortar) lb. per sq. in.
(Average of six specimens).*

Age: 3 days	297		175
7 days	380	275	275
28 days	488	350	350

*Compressive Strength—Plastic Mortar—lb. per sq. in.
(Average of six specimens).*

3 days	1689	900
7 days	2605	1800
28 days	4383	3000

Normal Consistency—24%

Setting Time (Gillmore)

Initial	2:45	Min. 60 min.	Min. 60 min.
Final	5:15		Max. 10 hrs.

Soundness

5 hrs. steam	OK	Sound	Sound
S.S., CM2/g	1750		1500

This material is packed in cloth and paper bags and is also shipped in bulk.

On the basis of the foregoing data, it is accordingly recommended that Penn-Dixie Dark Portland Cement, as manufactured by the Pennsylvania-Dixie Cement Corporation, at its Plant No. 6, located at Bath, Pennsylvania, be approved for use in New York City, pursuant to Sec. C26-312.0c-1 of the Administrative Code, on condition that each bag shipped shall be stamped, labeled, or marked: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 677-39-SM", and when shipped in bulk its bill of lading be similarly marked, and that when this cement is shipped with carbon black added its bill of lading shall bear the notation designated by the manufacturer, "Lot D" to indicate the presence of carbon black.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Penn-Dixie Dark Portland Cement, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

1324-39-SM.

APPLICANT—Pennsylvania-Dixie Cement Corporation,
owner.

SUBJECT—Penn-Dixie Portland Cement (Portland Point Mill), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(1324-39-SM)

WHEREAS, Pennsylvania-Dixie Cement Corporation, owner, filed October 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as Penn-Dixie Portland Cement (Portland Point Mill); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 13, 1940.

Cal. No. 1324-39-SM.

Subject: Penn-Dixie Portland Cement (Portland Point Mill), approval of.

On October 26, 1939, the Pennsylvania-Dixie Cement Corporation filed an application for approval of Penn-Dixie Portland Cement (Portland Point Mill), as manufactured by it at Plant No. 7, Portland Point, New York, for use in New York City pursuant to Sec. C26-312.0c-1 of the Administrative Code.

The manufacturing process is as follows: The dry process of manufacture is used at this plant. The rock is drilled well in advance of quarrying and, after blasting, is loaded by "caterpillar" electric shovels in six-ton Easton cars and taken by means of locomotives to an Allis Chalmers No. 48 in. x 60 in. jaw crusher where it is automatically dumped into the crusher. The rock is crushed to the equivalent of four-inch cubes. From the crusher the rock passes into the screen having 2½ in. openings. The rejections from the screen are crushed in a No. 7 Gyratory crusher to the same size as passing through the screen. The material is then taken to the stone storage where it is stored in separate bins.

The limestone and shale are conveyed separately to the plant by means of an aerial tramway, are stored at the plant in separate silos, and are also dried separately. At this point the limestone and shale are conveyed separately to a weighing machine where 2,000 pounds of limestone are weighed and the requisite amount of shale, determined by chemical analysis, is added to the limestone to make the mix.

The limestone and shale are discharged into a hammer mill where the mixture is crushed to about ¼ in. in size. It is then conveyed to the preliminary ball mills where it is ground to a fineness of about 95 per cent, passing the 20 mesh screen.

The material is then fed by means of screw conveyor and bucket elevators to the tube mill boxes, thence by gravity and screw conveyor to the tube mills, where it is pulverized.

The pulverized material is then conveyed to the kiln storage bins from which it enters the kilns through an inclined pipe and horizontal screw conveyor projecting into each kiln. Four rotary kilns are in use, all of the same size—8 ft. in diameter and 125 ft. long. Firing is by pulverizing coal from the front end of the kilns, and the clinker zone temperature is maintained at approximately 2,700 degrees Fahrenheit.

The clinker is discharged from the kilns and conveyed by means of bucket elevators to a storage, then by means of an electric crane, equipped with a clam shell bucket, to the clinker storage where it is allowed to

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cool. Just recently, a covering was provided for the storage of clinker.

The clinker, when cool, is taken from the storage by means of the aforementioned electric crane, and deposited in a bin to which is attached a weighing device for the purpose of weighing an amount of clinker, previous to the addition of gypsum. At this point the proper amount of gypsum, as determined by chemical analysis, is added and the mixture of clinker and gypsum is conveyed to the clinker grinding department where it is ground in a preliminary way in ball tube mills.

The material is then taken by means of screw conveyor and bucket elevators to the tube mills where it receives the final grinding. The finished cement is then conveyed by means of the Fuller Kinyon system to the various silos, from whence it is conveyed by means of screw conveyor and bucket elevators to bins over the Bates packing machines where it is packed into either cloth or paper bags for shipment. This plant is also equipped to pack cement in bulk.

The controls of the manufacturing process are as follows: Check samples of the limestone and shale are taken when drilling in advance of quarrying. Samples are taken every two hours at the raw tube mills for plant control. In addition to these samples, a complete analysis of the raw material is made for further study of plant control. A clinker sample is taken from each kiln every hour. In addition to the visual inspection, an average sample of each shift is taken to the laboratory where it is ground into cement, and with the addition of gypsum, the setting time and test for soundness are determined. A portion of the clinker taken of each shift is made into a composite sample on which complete chemical analysis is made—including free lime.

The cement, as it is being ground, is sampled by means of an automatic sampler. These samples are collected every two hours and fineness, soundness and setting time determined for each sample. A portion of each sample is taken to form a composite sample on which complete physical and chemical tests are made on each 2,000 barrels.

In addition to the above, when manufacturing dark cement, iron ore and sand are added in the proper proportion as determined by chemical analysis.

It is estimated that there is a sufficient supply of first class raw materials available for at least twenty years at the present rate of manufacture.

This cement was tested in the presence of a representative of the Committee on Tests, at the applicant's laboratory, Bath, Pennsylvania, with the following results:

Penn-Dixie Regular Portland Cement (Portland Point Mill).

Chemical Analysis.

	As Tested	A.S.T.M. Spec. C9-38	Fed. Spec. SSC-191-a
SiO ₂	20.42		
Al ₂ O ₃	6.36		7.50
Fe ₂ O ₃	2.98		6.00
CaO	64.20		
MgO	2.07	5.00	5.00
SO ₃	1.82	2.00	2.00
Ig. Loss	1.32	4.00	3.00
Total	99.17		
Ins. Res.	.18	0.85	0.75
Mol. R	2.51		
SiO ₂ /R ₂ O ₃	2.18		
Al ₂ O ₃ /Fe ₂ O ₃	2.13		
C ₃ S	53.84		
C ₂ S	18.00		
C ₃ A	11.79		15.00
C ₄ AF	9.06		
CaSO ₄	3.09		
Free MgO	2.07		
Free CaO	1.51		

Physical Tests.

Tensile Strength (1:3 Standard Mortar) lb. per sq. in. (Average of six specimens).

Age: 3 days	320	175
7 days	353	275
28 days	474	350

Compressive Strength—Plastic Mortar—lb. per sq. in. (Average of six specimens).

H ₂ O	54%	
Flow	100%	
3 days	1547	900
7 days	2541	1800
28 days	4275	3000

Normal Consistency—24%

Setting Time (Gilmore)

Initial	3:15	Min. 60 min.	Min. 60 min.
Final	5:45		Max. 10 hrs.

Soundness

5 hrs. steam	OK	Sound	Sound
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Fineness

S.S., CM ₂ /g	1760	1500
No. 325	83.9 (% passing)	
No. 200	92.5 (% passing)	

Penn-Dixie Dark Portland Cement (Portland Point Mill).

Chemical Analysis.

	As Tested	A.S.T.M. Spec. C9-38	Fed. Spec. SSC-191-a
SiO ₂	22.48		
Al ₂ O ₃	4.72		7.50
Fe ₂ O ₃	3.98		6.00
CaO	64.23		
MgO	1.76	5.00	5.00
SO ₃	1.66	2.00	2.00
Ig. Loss	.70	4.00	3.00
Total	99.53		
Ins. Res.	.15	0.85	0.75
Mol. R	2.40		
SiO ₂ /R ₂ O ₃	2.58		
Al ₂ O ₃ /Fe ₂ O ₃	1.18		
C ₃ S	48.35		
C ₂ S	28.04		
C ₃ A	5.77		15.00
C ₄ AF	12.09		
CaSO ₄	2.82		
Free MgO	1.76		
Free CaO	.44		

Physical Tests.

Tensile Strength (1:3 Standard Mortar) lb. per sq. in. (Average of six specimens).

Age: 3 days	248	175
7 days	308	275
28 days	426	350

Compressive Strength—Plastic Mortar—lb. per sq. in. (Average of six specimens).

H ₂ O	54%	
Flow	103%	
3 days	1232	900
7 days	1801	1800
28 days	3812	3000

Normal Consistency—23%

Setting Time (Gilmore)

Initial	3:15	Min. 60 min.	Min. 60 min.
Final	6:00		Max. 10 hrs.

Soundness

5 hrs. steam	OK	Sound	Sound
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Fineness

S.S., CM ₂ /g	1880	1500
No. 325	85.9 (% passing)	
No. 200	92.7 (% passing)	

This material is packed in cloth and paper bags and is also shipped in bulk.

On the basis of the foregoing data, it is accordingly

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recommended that Penn-Dixie Portland Cement, as manufactured by the Pennsylvania-Dixie Cement Corporation, at its Plant No. 7, located at Portland Point, New York, be approved for use in New York City, pursuant to Sec. C26-312.0c-1 of the Administrative Code, on condition that each bag shipped shall be stamped, labeled, or marked: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1324-39-SM", and when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Penn-Dixie Portland Cement (Portland Point Mill), on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

1507-39-SM.

APPLICANT—Porete Manufacturing Company, owner.

SUBJECT—Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction, approval of.

APPEARANCES—

For Applicant: George E. Strehan and Ernest Walter.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(1507-39-SM)

WHEREAS, Porete Manufacturing Company, owner, filed December 15, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 19, 1940.

Re: Cal. No. 1507-39-SM.

Subject: Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction, approval of.

The Porete Manufacturing Company, owner, filed December 15, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Nailable Tongue and Groove Concrete Plank for Floor and Roof Construction, under the provisions of the Administrative Building Code as hereinafter provided.

Manufacture.

The planks are manufactured of nailable aerated concrete made with cinder aggregate. The cinder concrete consists of one part Portland cement and three parts of washed, hard coal steam cinders, screened through a $\frac{3}{8}$ in. mesh, by measured volume, with addition of weighed quantities of calcium chloride flakes and foam-

ing compound. The mixture is turned over and aerated in a rotary drum mixer until the resulting wet concrete attains a density of 75 pounds per cubic foot as measured in quart samplers from each batch.

The planks are cast on edge in metal moulds and are tongued and grooved on sides and ends. The planks are 2 in. and $2\frac{3}{4}$ in. thick, 16 in. wide, and 9 ft. long. They are reinforced with cold-drawn welded wire mesh in two layers, adjacent to upper and lower surfaces, spaced $1\frac{1}{2}$ in. apart in the 2 in. planks and 2 in. apart in the $2\frac{3}{4}$ in. planks, held in position by cross ties at the junction of the longitudinal and transverse reinforcement, consisting of No. 26 gauge sheet steel ties securely attached to the two layers of reinforcement. In one type of plank, Type 4, the reinforcement consists of a single layer of Intermediate Grade deformed steel longitudinal and transverse bars welded at the intersections and placed in the center of the plank. The reinforcement varies in amount with type, span and load and as described herein for each test.

The planks were manufactured at the North Arlington plant of the Porete Manufacturing Company and the tests were conducted at the plant of the company in the presence of the representative of the Committee of the Board at an age of thirty-one to thirty-five days.

Testing.

Control cylinders were cast from each batch of concrete used in the manufacture of the planks and were tested at an age of twenty-eight days resulting in an average compressive strength of 771 pounds per square inch for the cinder mixture. The density of the cinder concrete was seventy-eight pounds per cubic foot dry in place.

To determine the strength of the plank, with three (3) different types of mesh reinforcement and one (1) type of bar reinforcement, tests were made on simple spans of lengths as noted in the test logs, together with a Master Control Panel Test of continuous plank, installed as in practice on the maximum span for each type of reinforcement and thickness of plank, as shown in Table No. 1.

All transverse load tests were made with third-point loading, consisting of weighed concrete plank in the Master Control tests applied on a timber platform to secure balanced concentrations. In the Simple Span Tests, the load was applied through an hydraulic ram with calibrated gauge reading to the nearest twenty-five pounds of gross load applied at third points.

In the Master Control Panels consisting of three equal spans, five or six planks wide, the center span was loaded to its ultimate capacity and the end spans to one-quarter of this amount simultaneously simulating theoretical moment and shear conditions as obtained in continuous construction as shown in Table No. 3.

To compare the effect of continuity and secure the Conversion Factor to be applied to simple span tests for determination of the relative safe continuous-plank load, the average strength of three simple spans of each specification was used, but in no case was this Adjusted Base taken to exceed five (5) per cent. of the minimum average value of the planned test.

Table No. 1 gives the ultimate test loads in pounds per square feet for all types and spans tested.

The Conversion Factor was taken as the ratio of one-sixth the breaking load for all planks continuous over the supports to one-quarter the breaking load for simple span conditions, to be applied as a constant to the Adjusted Base Load of all simple span tests in any group, and as the ratio of one-fifth the breaking load to one-quarter the simple span load with joints over the supports at both ends due to the expected increase in strength of the tongue and groove connection.

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TABLE 1.
Ultimate Test Loads—Pounds Per Square Foot.

Type	Thick.	Span	Reinforcement Each Layer	Master Control Test	Adjusted Base
1A	2¾ in.	7 ft.	6 No. 7-12 in.	225	197
1	2 in.	7 ft.	7 No. 7-16 in.	—	121
1	2 in.	6 ft.	7 No. 7-16 in.	195	172
1	2 in.	5 ft.	7 No. 7-16 in.	—	245
1	2 in.	4 ft.	7 No. 7-16 in.	—	368
2	2 in.	5 ft.	5 No. 7-16 in.	268	180
2	2 in.	4 ft.	5 No. 7-16 in.	—	343
2	2 in.	3 ft.	5 No. 7-16 in.	—	559
3	2 in.	3 ft.	4 No. 9-16 in.	620	324
3	2 in.	2'8"	4 No. 9-16 in.	—	536
3	2 in.	2 ft.	4 No. 9-16 in.	—	715
4	2 in.	3 ft.	3¾ in.—16 in.	510	238
4	2 in.	2'8"	3¾ in.—16 in.	—	400
4	2 in.	2 ft.	2¾ in.—16 in.	—	706

Table 2 gives a resume of all Master Control Panel Tests in pounds per square feet with corresponding deflections.

TABLE 2.
Master Control Test Loads—Pounds Per Square Foot.

Type	Span	Work Load	Work Deflection	1st Crack Load	1st Crack Deflection	Final Deflection	Fail- ure
1A	7 ft.	45	5/16 in.	105	¾ in.	1¾ in.	225
1	6 ft.	40	9/64 in.	140	11/16 in.	1¾ in.	195
2	5 ft.	54	3/32 in.	188	7/16 in.	1 in.	268
3	3 ft.	105	9/32 in.	272	5/8 in.	1¼ in.	620
4	3 ft.	84	5/64 in.	352	13/32 in.	13/16 in.	510

Table 3 gives a resume of a representative specimen of each type and span of the Minor Simple Span Tests in pounds per square feet.

TABLE 3.
Simple Span Test Loads—Pounds Per Square Foot.

Type	Thick.	Span	Work Load	Ultimate Deflection	Wt. Per Failure Sq. Ft.
1A	2¾ in.	7 ft.	45	1 in.	188
1	2 in.	7 ft.	30	1½ in.	150
1	2 in.	6 ft.	40	1½ in.	179
1	2 in.	5 ft.	56	7/8 in.	255
1	2 in.	4 ft.	84	7/16 in.	356
2	2 in.	5 ft.	54	¾ in.	223
2	2 in.	4 ft.	78	¾ in.	349
2	2 in.	3 ft.	128	¾ in.	532
3	2 in.	3 ft.	105	¾ in.	332
3	2 in.	2'8"	174	¾ in.	510
3	2 in.	2 ft.	233	¾ in.	716
4	2 in.	3 ft.	84	¾ in.	228
4	2 in.	2'8"	140	5/8 in.	408
4	2 in.	2 ft.	248	¼ in.	672

On the basis of this data, the Committee on Tests recommends the approval of the tongue and groove planks listed below as meeting the requirements of C26-619.0, Administrative Building Code (10.3.1) for roofs of Class 1 and Class 2 construction where the fire-protective covering is omitted from the roof trusses and purlins as provided in C26-618.0, Administrative Building Code (10.2.8); under C26-620.0c, 1(b), Administrative Building Code (10.3.2.3, subdiv. 1b) as a concrete top slab; under C26-626, Administrative Building Code (10.3.8) for simple and continuous spans as noted, and under C26-670, Administrative Building Code (10.12.1) as a roof slab as provided for therein.

A. Cinder Concrete

1. 2¾ in. Plank, 16 in. wide by 9 ft. long, with

seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft.; Superimposed Load 45 lbs. per sq. ft.

2. 2¾ in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 54 lbs. per sq. ft.

3. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 30 lbs. per sq. ft.

4. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 37 lbs. per sq. ft.

5. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 34 lbs. per sq. ft.

6. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 40 lbs. per sq. ft.

7. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 40 lbs. per sq. ft.

8. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 45 lbs. per sq. ft.

9. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 5 ft., Superimposed Load 56 lbs. per sq. ft.

10. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 84 lbs. per sq. ft.

11. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 5 ft., Superimposed Load 54 lbs. per sq. ft.

12. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 78 lbs. per sq. ft.

13. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 3 ft., Superimposed Load 128 lbs. per sq. ft.

14. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 3 ft., Superimposed Load 105 lbs. per sq. ft.

15. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft. 8 in., Superimposed Load 174 lbs. per sq. ft.

16. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 7 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft., Superimposed Load 233 lbs. per sq. ft.

17. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, ¾ in. longitudinals and three transverse rods ¼ in. 24 in. o.c. alternate—Max. Span 3 ft., Superimposed Load 84 lbs. per sq. ft.

18. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, ¾ in. longitudinals and three transverse rods ¼ in. 24 in. o.c. alternate—Max. Span 2 ft. 8 in., Superimposed Load 140 lbs. per sq. ft.

19. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, ¾ in. longitudinals and three transverse rods ¼ in. 24 in. o.c. alternate—Max. Span 2 ft., Superimposed Load 248 lbs. per sq. ft.

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Note: Span specified is center to center of supporting beams.

The Committee further recommends that all planks be manufactured and installed under the direct supervision of the Porete Manufacturing Company, and that these approvals be granted under the following design and erection conditions: That cylinders of the cinder concrete mixture develop a minimum compressive strength of 700 pounds per square inch at twenty-eight days, and weighing seventy-eight pounds per cubic foot (dry weight); that the concrete be mixed with a water cement ratio of not more than seven gallons of total water to a bag of cement; that the dead weight of plank be placed as 6.5 pounds per sq. ft. per inch of thickness; that if plank is shipped at an age of between seven and twenty-one days, it shall be manufactured of approved High Early Strength Portland Cement; that each plank have at least two (2) bearing supports; that each plank be secured to each purlin or beam support with approved No. 20 U. S. Gauge galvanized steel anchors formed to fit the tongue and groove of the plank and the flange of the beam and nailed in place with six-penny galvanized nails; that all side and end tongue and groove joints be slush grouted in place with Portland cement mortar, and that each plank made for use under this approval be marked as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1507-39-SM", or in lieu thereof a stamp bearing the following inscription within a circle: around the periphery at the top, the word "Approved", along the bottom, "B. S. & A.", in the center, two lines, upper reading "N. Y. C.", the lower reading "1507-39-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction, on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

196-40-SM.

APPLICANT—National Fireproofing Corporation, owner.

SUBJECT—Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing), approval of.

APPEARANCES—

For Applicant: L. J. Reardon.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(196-40-SM)

WHEREAS, National Fireproofing Corporation, owner, filed February 21, 1940, an application with the Board of Standards and Appeals for approval of the material known as Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 11, 1940.

Re: Cal. No. 196-40-SM.

Subject: Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing), approval of.

The National Fireproofing Corporation filed an application with the Board of Standards and Appeals on February 21, 1940, for the approval of their material known as Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing), for use in non-load bearing partitions and as furring tile under C26-308.0b (7.1.1.3).

Standard face dimensions of this tile are 12 in. by 12 in. and of the following thicknesses:

Partition tile: 2 in., 3 in., 4 in., 5 in., 6 in., 7 in., 8 in., 9 in., 10 in. and 12 in.

Furring tile: 1½ in. and 2 in.

These materials are manufactured with scoring so as to provide keys for plaster. Such scoring are approximately ⅛ in. deep and ½ in. wide and where required one or more faces may be made smooth. Furring tile is in effect half a tile and when used with ribs or set vertically against a wall so as to provide an air space, these tiles are fastened to the wall by ten-penny nails in the joints of the brickwork or by the use of metal ties.

These materials are made from clay of the following analysis:

	After Drying at 110° C.
Loss on Ignition	9.27%
Silica	60.54
Ferric Oxide	4.78
Alumina (Al ₂ O ₃) by difference	20.72
Calcium Oxide	0.15
Magnesium Oxide	0.75
Titanium Oxide (TiO ₂)	1.27
Combined Alkalies (Na ₂ O-K ₂ O)	0.70

The clay is mined in an open pit where it is conveyed to a large granulator. Here the clay is cut into thin particles and thoroughly mixed and then goes through a set of corrugated conical rolls, then through a set of grinding rolls and stored for use as required. In the forming of tile the clay is drawn from the storage bins into a vacuum extrusion machine where it is tempered to the proper consistency for forming through dies. The extrusion machine forces the clay through the die in a continuous stream, or column. This column of clay passes through a reciprocating cutter, upon which piano steel wires are located, to cut the clay column into the desired length. From the cutter the sized units are delivered onto a steel conveyor. The units are taken from this conveyor and placed upon three-deck dryer cars, to be placed into a humidity dryer for the removal of the mechanical water. As the dried ware emerges from the dryer it is left on the dryer cars and transported to round down-draft beehive type kilns for placing in the kiln.

The ware is placed in the kiln by experienced setters and set to a height of 12 ft. After the kiln has been charged, the wickets are closed and the kiln is then ready for the burning operation.

The burning operation is carried on in four stages, totaling ninety-three hours, divided as follows: the water smoking period, twenty-five hours; the dehydration period, sixteen hours; the oxidation period, twenty-four hours, and the vitrification period, twenty-eight hours. After the vitrification period has been reached and the ware has been fired to the desired hardness, the firing is discontinued and the kilns are cooled slowly. After the kilns have cooled, the wickets are removed and the ware is then ready to be drawn from the kiln.

Tests on these tile sizes—2 in. (furring tile), 3 in. and 4 in. (partition tile) were performed at the laboratories of E. L. Conwell and Company, Lab. Nos. 229600, 229601 and 229867.

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Lab. No. 229867 2 Inch Furring Tile.

Lab. Mark	Dry Weight (lbs. per sq. ft.)	Absorption* 5 Hrs. Boiling (% Dry Weight)	Compressive Strength End Construction (lbs. per sq. in. Net Area)	Scoring (inches)
1	8.40	11.6	4500	1/8 in. x 1/2 in.
2	8.62	10.6	4650	1/8 in. x 1/2 in.
3	8.55	8.3	4670	1/8 in. x 1/2 in.
4	8.43	9.1	5020	1/8 in. x 1/2 in.
5	8.37	11.2	5230	1/8 in. x 1/2 in.
Av.	8.48	10.16	4814	

* At the completion of the absorption tests these tile showed no evidence of disintegration.

Lab. No. 229600 3 Inch Partition Tile.

Lab. Mark	Dry Weight (lbs. per sq. ft.)	Absorption* 5 Hrs. Boiling (% Dry Weight)	Compressive Strength End Construction (lbs. per sq. in. Net Area)	Scoring (inches)
1	15.08	14.3	3960	1/8 in. x 1/2 in.
2	15.10	9.0	5540	1/8 in. x 1/2 in.
3	15.18	11.3	6300	1/8 in. x 1/2 in.
4	14.50	9.6	6225	1/8 in. x 1/2 in.
5	14.70	8.2	6700	1/8 in. x 1/2 in.
Av.	14.91	10.5	5745	

* At the completion of the absorption tests these tile showed no evidence of disintegration.

Lab. No. 229601 4 Inch Partition Tile.

Lab. Mark	Dry Weight (lbs.)	Absorption* 5 Hours Boiling (% Dry Weight)	Compressive Strength End Construction (lbs. per sq. in. Net Area)	Scoring Dimensions (inches)
1	17.05	12.5	4220	1/8 in. x 1/2 in.
2	17.00	11.8	5750	1/8 in. x 1/2 in.
3	17.03	13.9	3945	1/8 in. x 1/2 in.
4	17.23	10.0	5490	1/8 in. x 1/2 in.
5	17.12	11.0	3500	1/8 in. x 1/2 in.
Av.	17.09	11.8	4581	

* At the completion of the absorption tests these tile showed no evidence of disintegration.

From the foregoing data it appears that this material meets both the Federal Specification SS-T-351, Grade "M", on non-load bearing tile and SS-T-361, Grade "M", on split furring tile, and in all instances the requirements of ASTM DC-56-34-T are met.

On the basis of the foregoing data, the Committee on Tests recommends the approval of Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing), in sizes:

Partition tile: 2 in., 3 in., 4 in., 5 in., 6 in., 7 in., 8 in., 9 in., 10 in. and 12 in.

Furring tile: 1 1/2 in. and 2 in.

under C26-308.0b (7.1.1.3) for use in all class of buildings in non-load bearing partitions and as a furring material; that it is further recommended that the material shall be manufactured so as to have properties similar to those as given herein and that each shipment of this material to any construction job shall have the delivery slip marked, stamped or labeled, "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 196-40-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Natco Structural Hollow Clay Partition and Furring Tile (Non-Load Bearing), on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

203-40-SM.

APPLICANT—Max Conviser, for Conviser and Company (Max Conviser, owner).

SUBJECT—Conviser and Company Steel Shell Concrete-Filled Columns, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(203-40-SM)

WHEREAS, Max Conviser, for Conviser and Company (Max Conviser, owner), filed February 26, 1940, an application with the Board of Standards and Appeals for approval of the material known as Conviser and Company Steel Shell Concrete-Filled Columns; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 16, 1940.

Cal. No. 203-40-SM.

Subject: Conviser and Company Steel Shell Concrete-Filled Columns, approval of.

On February 26, 1940, an application was filed by Max Conviser, for Conviser and Company, for the approval of Conviser and Company Concrete-Filled Steel Shell Columns for use in New York City, pursuant to Section C26-191.0 (2.2.3) of the Administrative Building Code.

These columns are manufactured to be used with welded steel base plates and with loose steel base plates.

Two of these columns were made in the presence of a representative of the Committee on Tests at the applicant's plant at 585 Glenmore avenue, Borough of Brooklyn, New York. These columns were 3 1/2 in. O.D. and 4 in. O.D. standard weight drawn steel tubing approximately 9 ft. in length. The concrete fill mix was as follows:

1 part approved Universal Atlas Regular Portland Cement.

1 part screened sand.

2 parts cracked bluestone, 1/8 in. to 1/2 in. (commercial 1/8 in. to 3/8 in.)

5 gallons of water per sack of cement.

Aggregates were measured by volume. The cements and aggregates were dry mixed by hand for five minutes and after water was added, mixed for eight minutes. The columns were filled approximately half way and rodded with a 5/8 in. steel rod and subsequently rodded after adding approximately each 12 in. of fill. All new materials were used.

A 6 in. x 12 in. cylinder of the concrete mix was made to represent the concrete in the columns. These columns are made with electric welded 1/4 in. steel plate cap and base with four 5/8 in. holes, each 1 in. from edge of plate for 1/2 in. bolts and are also made without cap and base plates for use with 3/8 in. loose cast iron cap and base plates provided with four 3/8 in. log-screw openings.

MINUTES

These columns with loose cast iron cap and base and cylinder representing the concrete in the columns were tested at Columbia University with the following results:

	4 in. Col.	3½ in. Col.
Length	9 ft. 7/16 in.	9 ft. 1/16 in.
Outside Diameter (inches) ..	3.97	3.51
Inside Diameter (inches)	3.72	3.20
Wall Thickness (inches)	0.125	0.152
Maximum Load	74800	65600
Failure	By bending	By bending
Concrete cylinder		
Diameter (inches)	6.00	
Height (inches)	12.25	
Area (inches)	28.27	
Maximum Load (pounds) ...	120080	
Compressive Strength, p.s.i. ..	4245	

On the basis of the foregoing data, it is recommended that Conviser and Company Concrete-Filled Steel Columns as described herein, manufactured by Conviser and Company at 585 Glenmore avenue, Borough of Brooklyn, in the nominal sizes of 3½ in. O.D. and 4 in. O.D., not to exceed 9 ft. in nominal length, be approved for use in New York City with electric welded steel plate cap and base as described herein or loose cast iron cap and base as described herein, pursuant to section C26-191.0 (2.2.3) of the Administrative Building Code, for equivalent loads allowing for the factor of safety provided in the Administrative Building Code, on condition that all *new materials* be used in the manufacture of these columns; that base plates, when welded, shall comply with the requirements of the Welding Rules of the Board of Standards and Appeals; that the columns when installed shall be firmly secured top and bottom by substantial bearing plates with bolts or rivets through holes in plates; that the use of these columns be limited to buildings one story in height above grade and only for concentric loads; that each column shall be labeled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 203-40-SM" for buildings one story in height only; that the manufacture of all columns and the labeling of same be subject to inspection by the Department of Housing and Buildings, and that no column be shipped to a job until it is twenty-eight days old.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Conviser and Company Steel Shell Concrete-Filled Columns, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

314-40-SM.

APPLICANT—E. A. Swenson, for Flintkote Company, owner.

SUBJECT—Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(314-40-SM)

WHEREAS, E. A. Swenson, for Flintkote Company, owner, filed March 27, 1940, an application with the Board of Standards and Appeals for approval of the material known as Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 314-40-SM.

Subject: Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board), approval of.

E. A. Swenson, of the Flintkote Company of New York, filed for the Hawaiian Cane Products, Limited, Honolulu, Hawaii (authorization dated April 24, 1940), on March 27, 1940, an application with the Board of Standards and Appeals for approval of cane fibre products sold under the name of Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board), under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

These products are manufactured in Honolulu, Hawaii, from fibre, approximately 90 per cent. being cane fibre and the balance wood fibre from waste paper stock. Both fibres are cleansed of impurities and reduced to individual fibres, then mixed together, the whole being chemically treated to provide moisture and rot resistance. Passage through Clafin refiners gives a further and final refining. Termite proofing chemicals are added as the stock is passed into the forming machine vat. The wet lap for the board is formed to the thickness required on an Oliver forming machine. The sheet thus formed passes through Downington presses which are equipped with top and bottom felts and which remove a considerable portion of the water from the sheet. The felts serve also to form the different types of surfaces on the sheet. From the presses the board passes into a Coe dryer. In the dryer, moisture is taken out of the board so that when the drying is complete there is about 1.2 per cent. moisture left in the sheet. Temperatures in the dryer range from 300 degrees to 375 degrees Fahrenheit. Board ½ in. thick requires about three hours drying time. For other thicknesses the time required for drying is approximately proportional to the thickness as related to ½ in.

This material is manufactured in sizes and thicknesses and for uses as follows:

Building Board

4 ft. wide x 6 ft., 7 ft., 8 ft., 9 ft., 10 ft. and 12 ft. lengths x ½ in., ¾ in. and 1 in. thicknesses.

Insulating Lath

18 in. x 48 in. x ½ in., ¾ in. and 1 in. thicknesses.

Insulation Board Tile

Large—16 in. x 32 in., 24 in. x 48 in., x ½ in. thickness.

Small—12 in. x 12 in., 16 in. x 16 in., 12 in. x 24 in., 24 in. x 24 in., x ½ in. thickness.

Insulating Plank

6 in., 8 in., 10 in., 12 in. and 16 in. widths x 7 ft. 8 ft., 9 ft., 10 ft. and 12 ft. lengths x ½ in. thickness.

Roof Insulation

22 in. x 47 in. x ½ in., 1 in., 1½ in. and 2 in. thickness.

Sheathing Board

2 ft. x 8 ft. x 25/32 in. thickness.

4 ft. x 7 ft., 8 ft., 9 ft., 10 ft. and 12 ft. x 25/32 in. thickness.

MINUTES

Test on Flintkote Insulating Building Board and Plaster Base 1/2 Inch Thick.

	Rule Requirements	Test Results	
Thermal conductivity — B.T.U. per hr. per per sq. ft. per degree F.	.36 per in. thickness	.33	(a)
Transverse strength—lbs.			
Lengthwise	14 min.	24	(b)
Crosswise	12 min.	17	(b)
Minimum deflection at ultimate load—in.	.25	.57	(b)
Maximum deflection at ultimate load—in.	.85	.72	(b)
Tensile strength —lbs. per sq. in.			
Lengthwise	175 min.	300	(b)
Crosswise	175 min.	196	(b)
Water absorption —per cent.	5 max.	4.8	(c)
Linear expansion —per cent.	.50 max.	0.3	(c)
Nail holding strength	60 lbs.	78.5	(c)
Plaster base test (bond strength)	700 lbs.	970	(d)

(a) Armour Institute of Technology test December 6, 1939.

(b) Armour Institute of Technology test November 8, 1939.

(c) Electric Testing Laboratories Report 151642.

(d) Armour Institute of Technology test July 18, 1939.

Test on 25/32 Inch Sheathing Board.

	Rule Requirements	Test Results	
Thermal conductivity — B.T.U. sq. ft. per per sq. ft. per degree F.	.36 per in. thickness (See Rules—Note 1)	.382	(a)
Transverse strength—lbs.			
Lengthwise	21.75	47	(b)
Crosswise	18.75	34	(b)
Minimum deflection at ultimate load	.25 in.	.31 in.	(b)
Maximum deflection at ultimate load	.85 in.	.38 in.	(b)
Tensile strength —lbs. per sq. in.	175	192	(b)
Water absorption —per cent.	5	1.75	(b)
Linear expansion —per cent.	.5 max.	0.2	
Nail holding strength—lbs.	100	119	(b)

(a) Pennsylvania State College test December 27, 1939.

(b) Electrical Testing Laboratories Report 151640.

On the basis of the foregoing tests meeting the requirements of Rule 1, the Committee on Tests recommends the approval of Flintkote Insulating Building Board in the sizes and thickness as specified herein for use in accordance with the requirements of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards

and Appeals when used and installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend, and that the use of each class of board shall be limited to the uses prescribed herein. When used for sheathing, full length and width boards shall be used; over doorways and over and under windows vertical and horizontal 2 by 4's shall be provided so as to afford nailing bases along all edges of the board so used. Each container used for shipping this material shall be marked, tagged or labeled as follows, with the use of each type of board indicated: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 314-40-SM when installed under the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Flintkote Insulation Products (Building Board, Insulating Lath, Insulating Tile, Insulating Plank, Roof Insulation and Sheathing Board), on condition that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

395-40-SM.

APPLICANT—Post and McCord, for Insul-Mastic Laboratories, Incorporated, and McGrew Paint and Asphalt Company, owners.

SUBJECT—Insul-Mastic (re-roofing and re-surfacing material), approval of.

APPEARANCES—

For Applicant: T. C. Tuck.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(395-40-SM)

WHEREAS, Post and McCord, for Insul-Mastic Laboratories, Incorporated, and McGrew Paint and Asphalt Company, owners, filed April 16, 1940, an application with the Board of Standards and Appeals for approval of the material known as Insul-Mastic (re-roofing and re-surfacing material); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 395-40-SM.

Subject: Approval of Insul-Mastic (re-roofing and re-surfacing material).

Post and McCord, for Insul-Mastic Laboratories, Incorporated, and McGrew Paint and Varnish Company, owners, filed April 16, 1940, an application with the Board of Standards and Appeals for approval of the material known as Insul-Mastic (re-roofing and re-surfacing material) under the provisions of C26-191.0 (2.2.3) and C26-605-0 (10.1.16) and C26-680.0 (10.12.11.1) Administrative Building Code.

This material is intended for use as a coating or finish on walls and roofs of old or new buildings but

MINUTES

especially as a re-surfacing finish for exterior side walls and a re-roofing material as it is applied in practice and having an area of 12 sq. ft. Upon a roof deck which consisted of a wood decking, asphalt shingles, and a coating of Insul-Mastic, was placed a burning brand, for the purpose of investigating the possibility of the spread of flame ignition of the wood decking and the area and depth of charring.

The results of this test are as follows:

Test 1.

The angle of roof: 45 degrees.
Time until flame was out: 36 min. 50 sec.
Time until brand was consumed: 37 min. 50 sec.
Depth of charring: $\frac{1}{8}$ in.
Surface area burned: 9 in. x 10 in.
Surface area stained: 12 in. x 13 in.

A similar test was made of a wood siding 12 sq. ft. in area coated with Insul-Mastic Angle 90 degrees, with a brand supported in a wire sling directly against siding to be applied directly to old re-roofing.

The coating is composed of Gilsonite which has a melting point of 280 degrees Fahrenheit and other asphalt compound with a melting point of 190 degrees mixed with a thinner and ground cork or mica on which a protective surface of different colored slate granules are applied.

The materials are shipped in semi-fluid form and applied to the surface by a spraying method.

Fire tests of this material as a roof coating and as a covering for wood siding were conducted at 101 Park avenue, New York City, on July 10, 1940.

Test 2.

The test sample consisted of a complete assembly of roof deck and covering.

Time until flame was out: 6 min.

Time until brand was consumed: —

Depth of charring: $\frac{1}{4}$ in.

Surface area burned: 9 in.

Surface area stained: —

As a result of these tests, the Committee recommends approval under C26-680 (10.12.11.1) Administrative Building Code and Group 16, Art. (10.1.16).

Tests of roof covering of Insul-Mastic as applied over old or new roofing, and as a covering for wood siding inside or outside the fire limit on condition that the amount of Insul-Mastic and slate finish used per square shall conform to this report.

It is also recommended that each container of Insul-Mastic and each bag or container of slate finish shall be clearly marked or labeled, "Approved by the Board of Standards and Appeals for use in New York City when used in accordance with these specifications under Cal. No. 395-40-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Insul-Mastic (re-roofing and re-surfacing material), on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

657-40-SM.

APPLICANT—George E. Strehan, for Triangle Steel Products Corporation, owner.

SUBJECT—Triangle Three-Hour Hollow Metal Fire Door, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION—

(657-40-SM)

WHEREAS, George E. Strehan, for Triangle Steel Products Corporation, owner, filed June 18, 1940, an application with the Board of Standards and Appeals for approval of the material known as Triangle Three-Hour Hollow Metal Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1940.

Re: Cal. No. 657-40-SM.

Subject: Triangle Three-Hour Hollow Metal Fire Door, approval of.

George E. Strehan, for Triangle Steel Products Corporation, owner, filed June 18, 1940, an application with the Board of Standards and Appeals for approval of the material known as Triangle Three-Hour Hollow Metal Fire Door under the provisions of C26-610.0 (10.1.18),

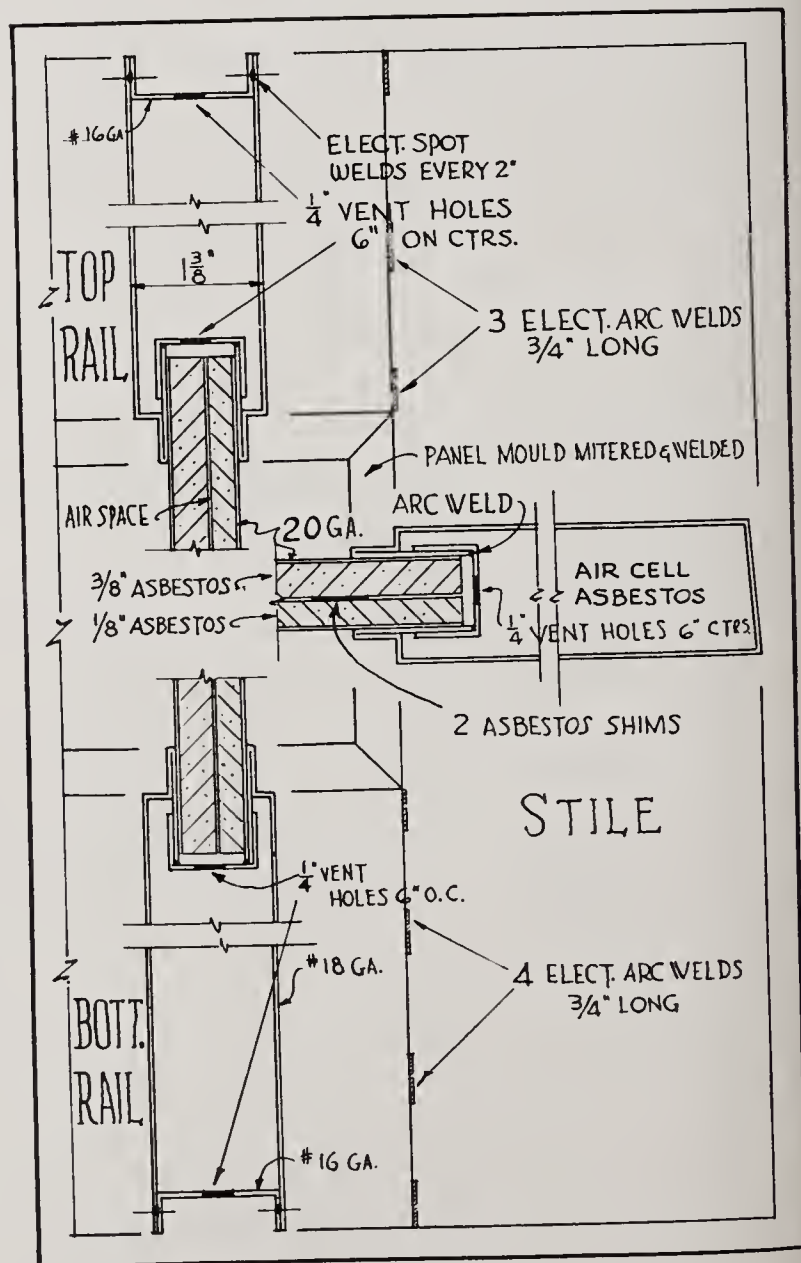


Figure 1

MINUTES

C26-660.0 (10.8.1), C26-661.0 (10.8.2), C26-662.0 (10.8.3), C26-663.0 (10.8.4), Administrative Building Code.

The test door was constructed at the plant of the applicant in Brooklyn, New York, with $5\frac{3}{8}$ in. stiles and top rail and the bottom rail $10\frac{1}{2}$ in. wide over all. The stiles and rails were $1\frac{3}{8}$ in. and the panel $\frac{5}{8}$ in. thick. The specifications for the construction of the door were as follows:

Doors are one panel type $1\frac{3}{8}$ in. thick. Stiles are in one piece, minimum of No. 18 gauge metal formed as shown on Section "1", Fig. 1. On the interior of the

bestos as separators between the two sheets. Asbestos sheets are the full size of the panels including the part recessed in the stiles and rails.

Stiles, rails and panels are assembled as shown (see Fig. 1). Top rail is welded to each stile with three arc welds on each face of door. Welds are at least $\frac{3}{4}$ in. long. Bottom rail is welded to each stile in similar manner except that four welds are used at each joint. The No. 16 gauge channels welded in outside edges of top and bottom rail are continuous the full width of the door and are fitted into tops and bottoms of the stiles.

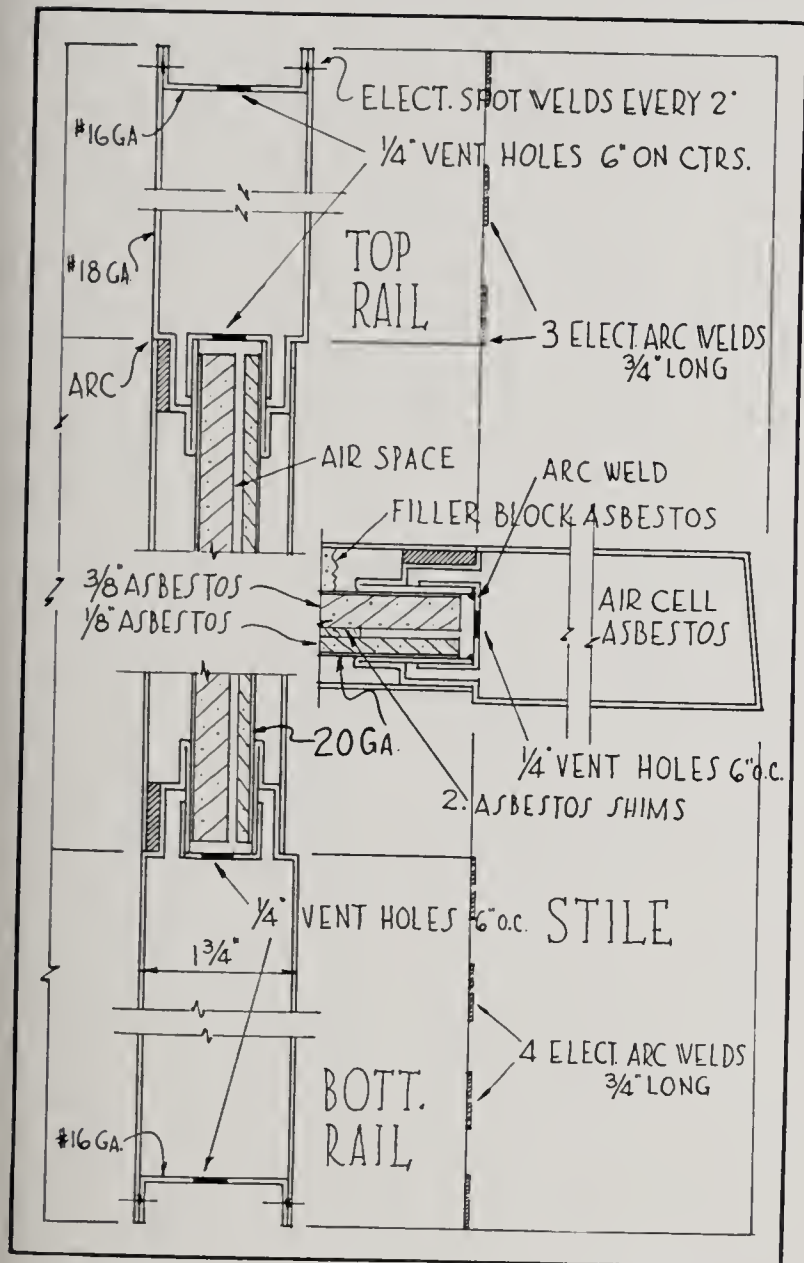


Figure 2

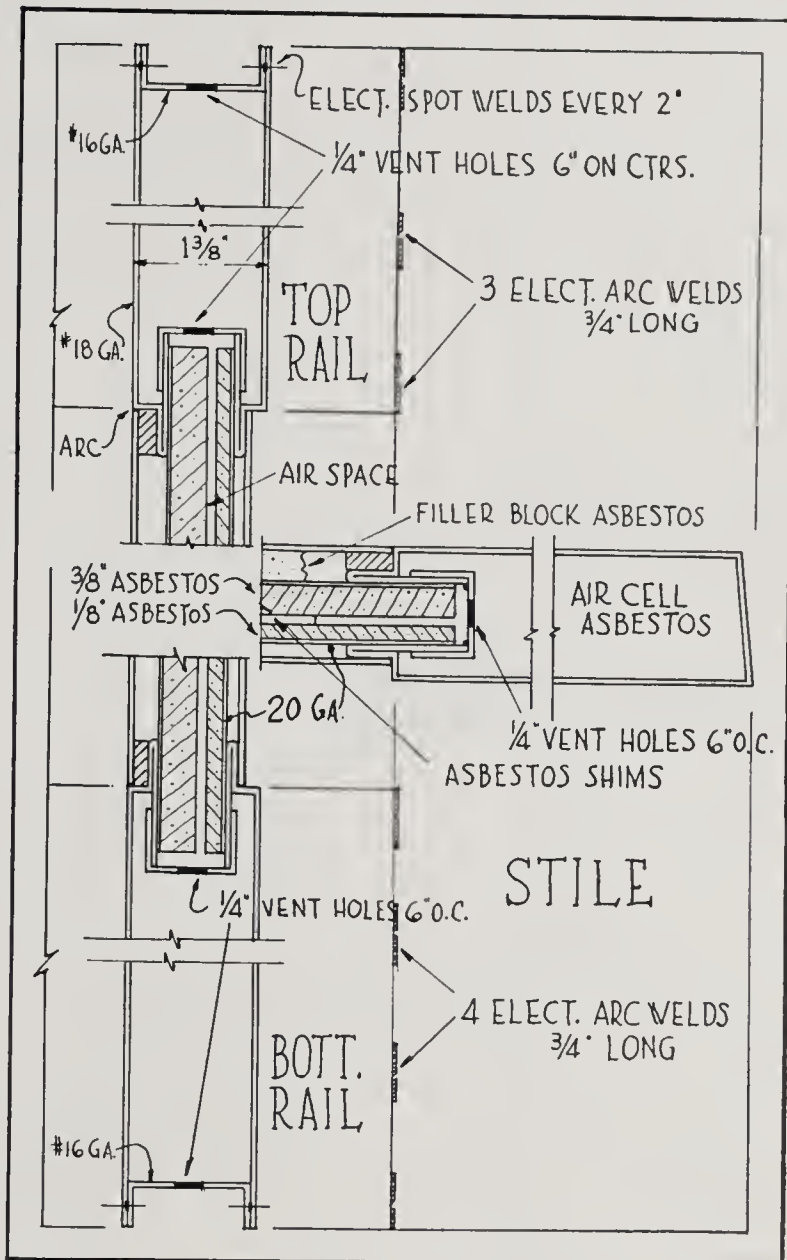


Figure 3

stiles at the panel edge, is arc welded at 12 in. o.c. a No. 16 gauge channel the full length of stile. This channel has $\frac{1}{4}$ in. vent holes not less than 6 in. o.c.

Top and bottom rails are formed of two face sheets of metal as shown on vertical section Plate "1" joined at outer edges with No. 16 gauge channels spot welded to both the face sheets 2 in. o.c. Top and bottom channels have $\frac{1}{4}$ in. vent holes 6 in. o.c. In panel edge of top and bottom rails is arc welded a No. 16 gauge channel similar to stile construction having $\frac{1}{4}$ in. vent holes not less than 6 in. o.c.

Panels are formed of two sheets of No. 20 gauge metal separated and insulated as hereinafter described.

Stiles and rails are entirely filled with air cell asbestos for their entire length. Panel is insulated with one sheet of $\frac{3}{8}$ in. solid asbestos and one sheet of $\frac{1}{8}$ in. solid asbestos, these two sheets separated by a nominal air space of $\frac{1}{16}$ in. obtained by using thin strips of as-

This channel is spot welded 2 in. o.c. to both faces of the stiles at both top and bottom.

Doors are hung on butt hinges, spring hinges or floor hinges. Reinforcements for butt or spring hinges are a minimum of No. 10 gauge and 6 in. longer than the size of the hinge. Reinforcements are spot welded to the edge of the door stile. Reinforcement for floor hinge is a minimum of $\frac{3}{16}$ in. and is welded to upper face of bottom door channel and is at least two-thirds the width of door. Reinforcement for top pivot used with floor hinge is a minimum of $\frac{3}{16}$ in. and is welded to top door channel and is at least one-half the width of the door. Lock reinforcements are formed with a No. 14 gauge box inserted in the door stile at the lock and spot welded to both faces of lock stile. Reinforcement box for lock is at least 16 in. long. The inside of lock box reinforcement is lined with $\frac{1}{8}$ in. sheet asbestos all around and for the full height of the box and meets the

MINUTES

stopping point of cell asbestos above and below the lock. Doors with multiple panels as shown (on Fig. 5) are made by superimposing center stiles and rails on the face of the basis of one panel tested door by welding, soldering or other means obviating holes or punctures in the basic door (Fig. 1).

Frame

Doors are hung in No. 14 gauge hollow metal frame. Frame is constructed in accordance with manufacturers standard shapes with welded corners, steel bottom spreader, No. 16 gauge angles for fastening to floor construction, and with at least three straps or "T" anchors for each jamb leg for solid anchorage to

being set in the masonry wall of the test furnace door. The door was hung on three Stanley 5 in. x 4 in. loose pin butts. It was fitted with a Corbin standard 2½ in. mortise lock having a bitted key. Set at a height of 3 ft. 1½ in. above the bottom of the door and 2 in. from its edge. With the door closed it was noted that the clearance between the knob and the door stop was approximately ⅛ in. The latch had a throw of ½ in. and the bolt 13/16 in. The door was hung with the following clearances: top, ⅛ in.; lock side, 3/32 in.; hinge side, ⅛ in.; bottom, 3/16 in. at sides and 1/16 in. at center.

The test furnace was a brick structure approximately

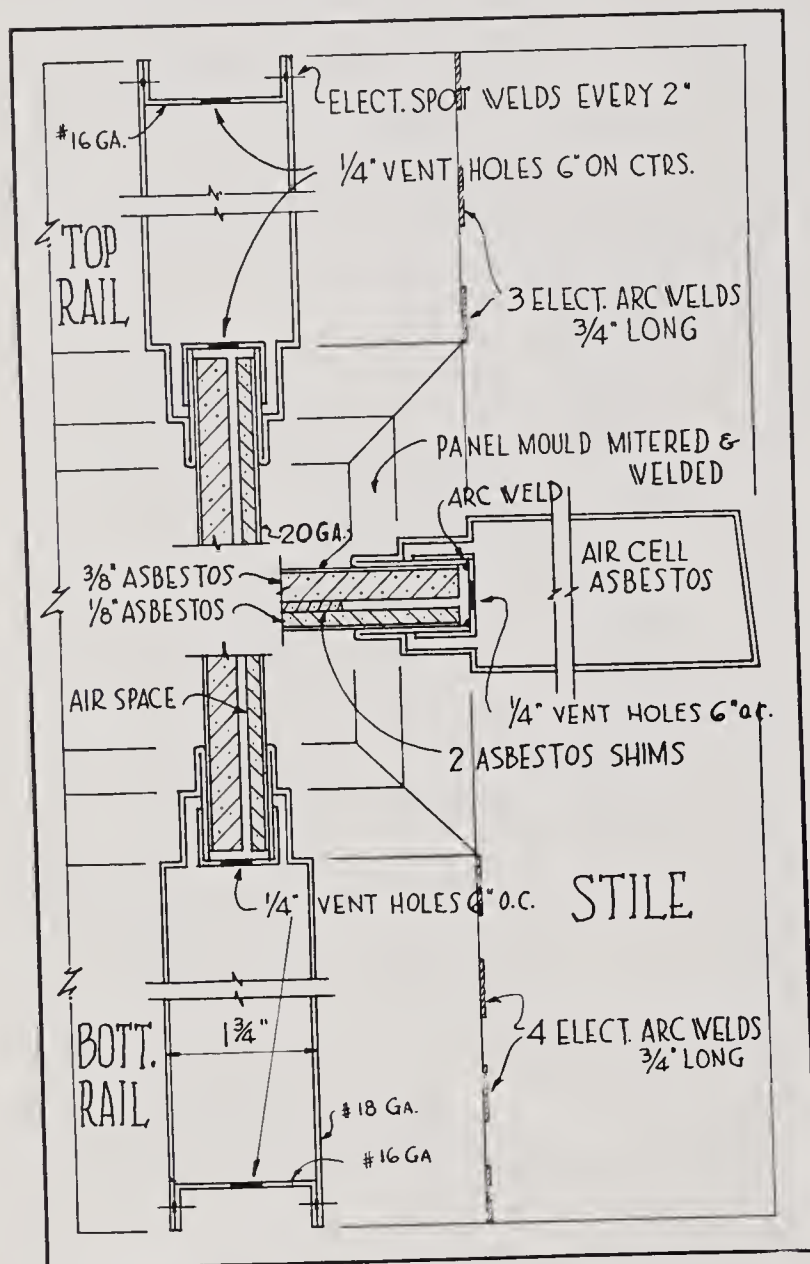


Figure 4

masonry walls. For 1½-hour label door the frame may be constructed of No. 16 gauge metal.

Test of Door

The door was single paneled of hollow metal 2 ft. 11¾ in. wide by 6 ft. 11½ in. high. Tests of the sample selected were performed at the Protexol Testing Laboratory at Kenilworth, New Jersey (Report No. 96 filed herewith), under the supervision of Mr. Rollin C. Bastress, director of the laboratory. These tests were conducted in accordance with the requirements of Group 5, Sub. Art. 1 of Art. 10, Administrative Code, entitled "Fire Resistant Construction."

The door was mounted in a pressed steel combined buck and frame with a checkered plate saddle, the whole

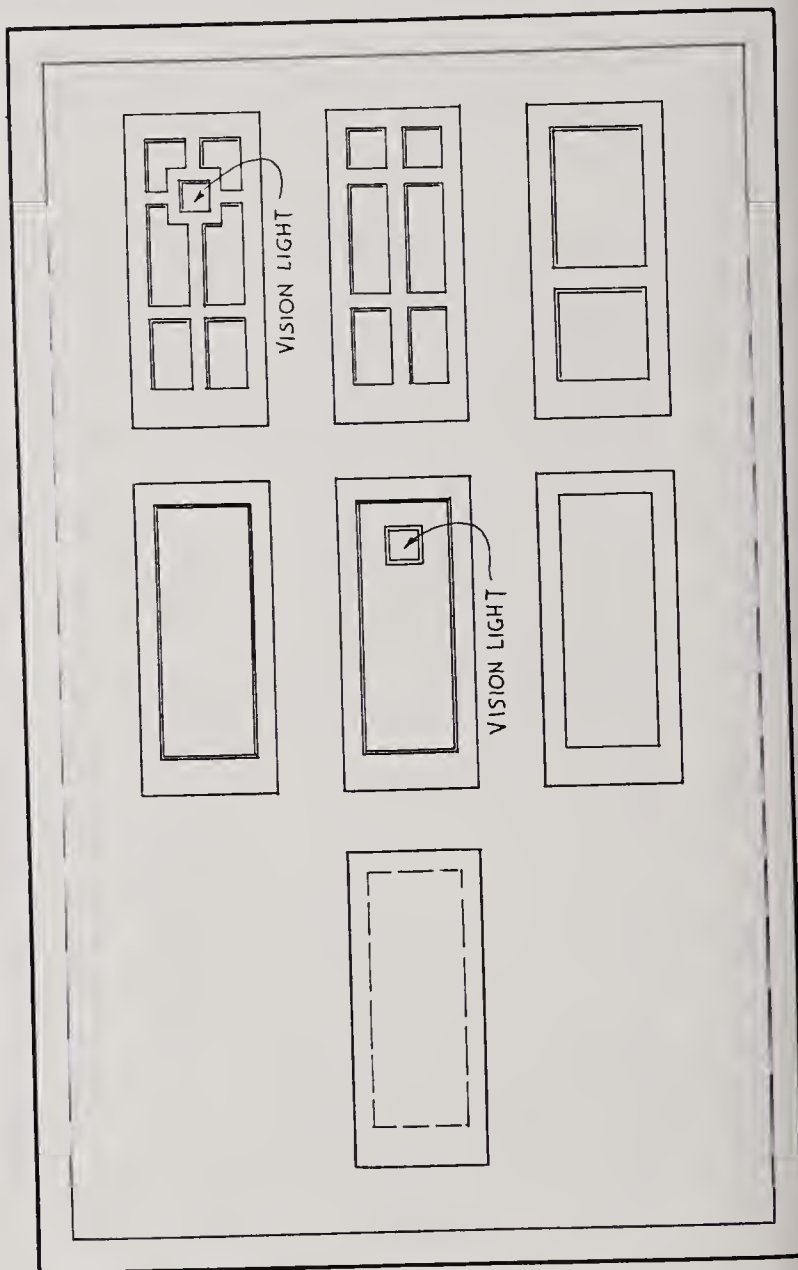


Figure 5

10 ft. wide, 12 ft. high and 2 ft. deep with a swinging door having a rough opening 62 in. x 93 in. in which the test sample was set. Gas flames were applied with suitable controls for regulating temperature.

Test

The test was conducted by a Committee of the Board in conformity with the standard time temperature curve and maintained within the 5 per cent. area tolerance for the three-hour period. The average rise of temperature at the end of three-quarters of an hour was 702 degrees Fahrenheit on the unexposed side. In this instance it is well to remember that this door was located within a partially ventilated vestibule, simulating a small lobby as commonly encountered in apartment houses

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(except that the apartment house vestibule would probably be better ventilated) in which the temperature at the end of forty-five minutes was approximately 134 degrees Fahrenheit. The atmospheric temperature at the beginning of the test was 73 degrees Fahrenheit. At the forty-five minute point the temperatures on the unexposed side were 8 per cent. in excess of the permitted temperatures undoubtedly due to the fact that the furnace temperatures at the thirty-five and forty minute points were in some cases, according to the individual thermocouple readings, as high as 170 degrees Fahrenheit in excess of the required thermocouple temperatures. These temperatures did not reach a normal condition until the forty-five minute point. Accordingly it becomes apparent that these high temperatures were reflected in the forty-five minutes reading on the unexposed side. The fact that a solid asbestos filler was placed at the mid point of the door with the thermocouples directly over it further augmented the temperature rise on the unexposed side. During the test there was no passage of smoke or flame through or around the door in any significant amount. At the end of the three hours the door was subjected to the standard hose stream test which it withstood without any change in structural condition excepting distortion of lock stile due to sudden cooling. The door was then swung open on its own hinges and the lock stile found to be concaved toward the furnace to the extent of 1½ in. maximum at the lock.

On the basis of this test and the requirements of C26-610 (10.1.18), Administrative Building Code, the Committee recommends the approval of the Triangle Three-Hour Hollow Metal Fire Door as having met the requirements for a rating of three hours, for use as a protection of openings in fire walls, under C26-660 (10.8.1), Administrative Building Code, and as a protection of openings in fire partitions (1½ hours), under C26-661.0 (10.8.2), and as a protective opening in fireproof partitions (¾ hour), under C26-662.0 (10.8.3), when constructed and hung strictly in accordance with the specifications set forth herein, with the recommendation that the asbestos strips be reduced to two in number located at the third points in width of the panel.

The Committee also recommends the approval of such doors for use under the Multiple Dwelling Law, which provides for a rating of one hour when used in fireproof partitions. The Committee further recommends the approval of alternate door constructions as shown on Figures 2, 3 and 4 which are similar in every respect except thicker, and when manufactured with a flush surface has an additional air insulation space which may be filled with asbestos insulation. In all other respects the construction of these alternate doors shall be of details as provided in Fig. 1. All opening protective assemblies manufactured under this approval shall be marked and inspected as provided for in the Opening Protective Assembly Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Triangle Three-Hour Hollow Metal Fire Door, on condition that the material be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

667-40-SM.

APPLICANT—National Portland Cement Company, owner.
SUBJECT—Pioneer Portland Cement, approval of.

APPEARANCES—

For Applicant: Jere A. Feeks.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(667-40-SM)

WHEREAS, National Portland Cement Company, owner, filed June 19, 1940, an application with the Board of Standards and Appeals for approval of the material known as Pioneer Portland Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 17, 1940.

Cal. No. 667-40-SM.

Subject: Pioneer Portland Cement, approval of.

On June 19, 1940, the National Portland Cement Company filed an application for approval of Pioneer Portland Cement as manufactured by it at Brodhead, Pennsylvania, for use in New York City pursuant to section C26-312.0 c-1, Administrative Code.

The manufacturing process is as follows: From twelve to fifteen holes are drilled to a depth of 100 ft. at one time in the quarry. Laboratory tests are made of samples of borings every 20 ft. in advance of quarrying. The rock is hauled from the quarry to the crusher house in ten-ton steel cars and is crushed by three gyratory crushers, one preliminary and two secondary, and this stone being 2 in. and less in size goes direct to storage. The stone is then fed into two slurry mills having a table feed. These mills are manufactured by F. L. Smidth and are four compartment mills 8 ft. x 36 ft. in area. From these mills the slurry is pumped into blending tanks, and after blending is dumped into a large slurry basin having a capacity of 16,000 barrels. The slurry is then pumped from this basin into slurry feeders at the back end of kilns. The clinker from kilns is discharged on an F. L. Smidth skipulter which conveys the clinker to an elevator and thence into covered storage. From storage the clinker is placed in clinker bins by traveling cranes. The clinker is ground in two F. L. Smidth 8 ft. x 36 ft. mills equipped with open type air separation hook-ups. From these mills cement is pumped into silos and thence to packing bins. The wet process is used throughout.

The controls of the manufacturing processes are as follows:

Samples are taken of both the slurry and cement mills every two hours. On the slurry mill samples, fineness, water and calcium carbonate content are determined. On the cement samples fineness, setting time and S03 are determined. These samples are taken by laboratory representatives and any changes in the mix made necessary by these analyses are made in the manufacturing process.

It is estimated that there is a sufficient supply of consistently homogenous raw materials available at the present rate of manufacture for one hundred years. Samples were taken on the cements tested in the presence of a representative of the Committee on Tests at the applicant's laboratory, Brodhead, Pennsylvania, with the following results:

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Pioneer Light Portland Cement. Chemical Analysis.

	As Tested	A.S.T.M. Spec. C9-38	Fed. Spec. SSC-191-a
SiO ₂	22.04		7.50
Al ₂ O ₃	4.82		6.00
Fe ₂ O ₃	2.82		
CaO	63.68		
MgO	3.87	5.00	5.00
SO ₃	1.50	2.00	2.00
Ig. Loss	.80	4.00	3.00
Ins. Res.	.22	0.85	0.75
3CaO.SiO ₂	50.9		
2CaO.SiO ₂	24.8		
3CaO.Al ₂ O ₃	8.0		
4CaO.Al ₂ O ₃ . Fe ₂ O ₃	8.6		
Free CaO	.75		

Physical Tests.

Tensile Strength (1:3 Standard Mortar) lb. per sq. in.
(Average of six specimens.)

Age: 3 days	302		175
7 days	364	275	275
28 days	452	350	350

Compressive Strength—Plastic Mortar—lb. per sq. in.
(Average of six specimens.)

H ₂ O	53%		
Flow	100%		
3 days	1350		900
7 days	2571		1800
28 days	4637		3000

Normal Consistency—24.5%

Setting Time (Gillmore)			
Initial	4:00	Min. 60 min.	Min. 60 min.
Final	6:00	Max. 10 hrs.	Max. 10 hrs.
Soundness			
5 hrs. steam	OK	Sound	Sound
Fineness			
S.S., CM ₂ /g	1620		1500
No. 325	93.5 (% passing)		
No. 200	98.6 (% passing)		
Autoclave	.267		

Pioneer Dark Portland Cement. Chemical Analysis.

	As Tested	A.S.T.M. Spec. C9-38	Fed. Spec. SSC-191-a
SiO ₂	21.82		7.50
Al ₂ O ₃	4.46		6.00
Fe ₂ O ₃	2.96		
CaO	63.33		
MgO	4.00	5.00	5.00
SO ₃	1.72	2.00	2.00
Ig. Loss	1.12	4.00	3.00
Ins. Res.	.18	0.85	0.75
3CaO.SiO ₂	52.8		
2CaO.SiO ₂	22.8		
3CaO.Al ₂ O ₃	6.8		
4CaO.Al ₂ O ₃ . Fe ₂ O ₃	9.0		
Free CaO	.65		

Physical Tests.

Tensile Strength (1:3 Standard Mortar) lb. per sq. in.
(Average of six specimens.)

Age: 3 days	282		175
7 days	362	275	275
28 days	461	350	350

Compressive Strength—Plastic Mortar—lb. per sq. in.
(Average of six specimens.)

H ₂ O	53%		
Flow	100%		
3 days	1325		900
7 days	2566		1800
28 days	4625		3000

Normal Consistency—24.0%

Setting Time (Gillmore)			
Initial	3:50	Min. 60 min.	Min. 60 min.
Final	5:55	Max. 10 hrs.	Max. 10 hrs.
Soundness			
5 hrs. steam	OK	Sound	Sound
Fineness			
S.S., CM ₂ /g	1700		1500
No. 325	91.0 (% passing)		
No. 200	98.0 (% passing)		
Autoclave	.235		

This material is packed in cloth and paper bags and shipped in bulk.

It is accordingly recommended that Pioneer Portland Cement, as manufactured by the National Portland Cement Company, at Brodhead, Pennsylvania, be approved for use in New York City pursuant to section C26-312.0 c-1 of the Administrative Code, on condition that each bag shipped shall be stamped, labeled or marked: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 667-40-SM", and when shipped in bulk its bill of lading be similarly marked, and that monthly mill test reports signed by the applicant's chief chemist be filed with the Board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Pioneer Portland Cement, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

GENERAL RESOLUTIONS.

886-39-GR.

APPLICANT—Heating, Piping and Air-Conditioning Contractors New York City Association, Incorporated.
SUBJECT—Request for interpretation of section C26-1206.0, Administrative Code (14.1.13 Building Code), re Plumbing System Waste Lines.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(886-39-GR)

WHEREAS, in the opinion of the Board the issue involved should be presented to the Board based on a decision of the borough superintendent of buildings in an individual case.

Resolved, that the request for an interpretation of these rules be and it hereby is dismissed as being improperly before the Board.

921-39-GR.

APPLICANT—Progress Association of Steamfitters Helpers Local No. 639 of the United Association.
SUBJECT—Request for interpretation of section C26-1206.0, Administrative Code (14.1.13 Building Code), re Plumbing System Waste Lines.

APPEARANCES—

For Applicant: None.

MINUTES

ACTION OF BOARD—Request dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(921-39-GR)

WHEREAS, in the opinion of the Board the issue involved should be presented to the Board based on a decision of the borough superintendent of buildings in an individual case.

Resolved, that the request for an interpretation of these rules be and it hereby is *dismissed* as being improperly before the Board.

922-39-GR.

APPLICANT—Enterprise Association Local No. 638 of the United Association of Journeymen Plumbers and Steamfitters of the United States and Canada.

SUBJECT—Request for interpretation of section C26-1206.0, Administrative Code (14.1.13 Building Code), re Plumbing System Waste Lines.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(922-39-GR)

WHEREAS, in the opinion of the Board the issue involved should be presented to the Board based on a decision of the borough superintendent of buildings in an individual case.

Resolved, that the request for an interpretation of these rules be and it hereby is *dismissed* as being improperly before the Board.

809-40-GR.

SUBJECT—Amendment of rule—re types of fire extinguishers now approved and accepted—re General Instructions No. 39.

APPEARANCES—None.

ACTION OF BOARD—Rule amended.

THE VOTE TO AMEND RULE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION—

(809-40-GR)

WHEREAS, the fire commissioner on May 8, 1912, issued General Instructions No. 39, relating to portable fire appliances (fire extinguishers); and

WHEREAS, these instructions read:

"Type of Fire Extinguishers now approved by the New York Board of Fire Underwriters will be accepted by the Fire Department."

and

WHEREAS, the Corporation Counsel certified that these General Instructions No. 39 became a rule of the Board of Standards and Appeals as established by Chapter 503 of the Laws of 1916, such certification appearing in the Bulletin of the Board, Vol. II, No. 14, of April 5, 1917; and

WHEREAS, the Board of Standards and Appeals deemed that the rule so certified, embodying these instructions, should be amended and incorporated as a general resolution of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* such rule, so that as amended the rule shall read:

"A fire extinguisher listed as approved by the National Board of Fire Underwriters after test by the Underwriters' Laboratories, Incorporated, may be accepted by the administrative officials under the Oil Burner Rules and the Administrative Code for the class or classes of fires as set forth in such approval. All such fire extinguishers for use in New York City shall bear the label of the Underwriters' Laboratories, Incorporated, stating the class or classes of fire for which such fire extinguisher was so approved."

Recessed at 5:00 P.M. to July 23, 1940, at 10:00 A.M.
Reconvened July 23, 1940, at 10:00 A.M., adjourned 4:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.
EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:

1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:

1. Liquefier Serial Number.
2. Original number of cylinder used for conversion.
3. Original ownership initials of cylinders used for conversion.
4. Original I. C. C. marking of cylinder used for conversion.
5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
6. Test pressure applied to cylinder before conversion.
7. Total expansion obtained on cylinder before conversion.
8. Permanent expansion obtained on cylinder before conversion.
9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I.C.C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H. and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container
t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
 - C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
 - D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
 - E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
 - F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
 - G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
 - H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New Liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions:

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen	6 1/8 in. x 7 1/8 in.
200 ft. oxygen	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen	5/8 in.
200 ft. oxygen	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

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Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs. per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. not in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than 3/4 in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.

- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5 1/2 in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8 1/2 in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing Buildings on Fire Retarding, Fire Escapes, Fire Stairs, Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 32

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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Rules Directory.

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Rules for the Testing and Use of Blended Cements.

Rules for the Manufacture, Testing and Use of Concrete
Masonry Units.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

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831-40-A.....	F.D.....	171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn, 84303-L.C.
832-40-A.....	H.B.M.....	172-174 East 116th street, south side, 213 ft. 4 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan, Alt. 1557-40.
833-40-BZ....	H.B.Q.....	78-01 Broadway and 41-32 79th street, northwest corner (Block No. 1489, part of Lot No. 1), Elmhurst, Borough of Queens, Misc. Applic. 6611-40.
834-40-SM.....		Asbestos Air Cell Pipe Covering, Asbestos Air Cell Blocks, Woolfelt Pipe Covering, One-Inch thick, and Woolfelt Pipe Covering, One-Inch thick, double shell, manufactured by Atlantic Asbestos Corporation, Material.
835-40-BZ....	H.B.M.....	173 East 124th street, north side, 150 ft. west of Third avenue (Block No. 1773, Lot No. 27), Borough of Manhattan, N.B. 147-40.
836-40-A.....	H.B.R.....	1233 Castleton avenue, north side, 75.39 ft. west of Taylor avenue (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond, Alt. 355-39.
837-40-SM.....		Indiana Brass Company Anti-Syphon Float Valve, No. 88, manufactured by The Indiana Brass Company, Material.
838-40-SM.....		Pottisco T and G Concrete Plank, manufactured by Porete Manufacturing Company, Material.
839-40-A.....	F.D.....	1407 Webster avenue, west side, 721.35 ft. south of East 171st street (Block No. 2887, Lot No. 144), Borough of The Bronx, Decisions—re 18483-L.C.

840-40-A.....H.B.B.....5310 Eighth avenue, west side, 60 ft. 2 in. south of 53rd street (Block No. 818, Lot No. 43), Borough of Brooklyn, Alt. 3453-40.

841-40-SM....."Smooth Ceilings" System (Flat Slab Reinforced Concrete Construction), manufactured by Walter H. Wheeler, Material.

842-40-SM.....Precision-Built Method of Construction, manufactured by Homasote Company, Material.

843-40-BZ....H.B.Bx...147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx, Alt. 83-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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ADJOURNMENT.

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 10, 1940, at 10 A.M.

SEPTEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 137-40-BZ—Application, February 2, 1940, under section 7c of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Hill Holding Corporation, owner (Crescent Auto Service, lessee), to permit, partly in a business use

district and partly in a residence use district, the extension in area of an accessory building on an existing gasoline service station; premises 148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens.

CAL. NO. 514-40-BZ—Application, May 14, 1940, under sections 21, 7b and 7c of the building zone resolution, of Salomon A. Hauptman, applicant, on behalf of Estate of Giuseppe Giambalvo, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 670 Bushwick avenue and 921-931 Wiloughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

CAL. NO. 80-40-BZ—Application, January 24, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Dot Mort Holding Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2900-2926 Olinville avenue, 678 Wilgus street, southeast corner, and 679 Arnow avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

CALENDAR

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

CAL. NO. 456-40-BZ—Application, April 29, 1940, under sections 7a, 7c, 7e and 21 of the building zone resolution, of William Shary, applicant, on behalf of City Bank Farmers Trust Company, trustee, under will of Thomas Dimond, owner, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 295-40-BZ—Application, March 21, 1940, under section 7c of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the maintenance of business use (restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station,

brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 18-40-BZ—Application, January 6, 1940, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Margaret Murgolo, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lef-

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ferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.

783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of

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CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence

use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING.

FRIDAY, AUGUST 2, 1940, 2:30 P.M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

RULES.

639-40-SR.

SUBJECT—Proposed Rules for the Manufacture, Testing and Use of Concrete Masonry Units, adoption of.

ACTION OF BOARD—Rules adopted (see pages 1172 to 1180 of this Bulletin).

THE VOTE TO ADOPT RULES—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4
Negative 0

584-39-SR.

SUBJECT—Proposed Rules for the Testing and Use of Blended Cements, adoption of.

ACTION OF BOARD—Rules adopted (see page 1171 of this Bulletin).

THE VOTE TO ADOPT RULES—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

Adjourned, 2:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, AUGUST 2, 1940. EFFECTIVE IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(584-39-SR)

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph c, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1 The intent of these rules is to provide a basis for the use of blended cements other than Portland Cement. Subject to the restrictions in the approval of the Board as to each brand, such blended cements may be used as substitutes for Portland Cement on an equivalent weight basis where Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, which shall be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plasterizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods

outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours, as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C-158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 7 and 28 days shall be higher than that at 3 and 7 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

RULES

RULES FOR THE MANUFACTURE, TESTING AND USE OF CONCRETE MASONRY UNITS ADOPTED BY THE BOARD OF STANDARDS AND APPEALS AUGUST 2, 1940. EFFECTIVE IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(639-40-SR)

SCOPE:

These rules shall apply only to concrete hollow or solid masonry blocks or tiles irrespective of use, size, shape and aggregates used in their manufacture, so as to obtain the quality of material intended within the scope of C26-309.0 (7.1.1.4), C26-412.0 (8.4.1), as further supplemented by these rules.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, paragraph a, (2.2.1.1.) a, and C26-305.0 (7.1.1.), and C26-412.0 (8.4.1).

NOTE—References given herein preceded by C26- refer to specific sections of the Administrative Building Code.

1.0 DEFINITIONS.

1.1. Aggregate—The term "aggregate" shall mean inert material which is mixed with cement and water to produce concrete, consisting, in general of sand, pebbles, gravel, cinders, crushed stones, blast furnace slag, burnt shale or clay, or similar materials. Section C26-10.0a (1.2). Dense aggregates, such as sand, pebbles, crushed stones and crushed slag, shall be sound and durable and free from excessive amounts of dust, soft or flaky particles, or shale or other deleterious material. Concrete (block) Product aggregates shall consist of natural sands and gravels, crushed rock, or blast furnace slag, burnt shale, or clay, or other inert materials having clean uncoated grains of strong and durable minerals. It shall be unlawful to use aggregates containing soft, friable, thin, flaky, elongated or laminated particles in excess of three percent, or containing shale in excess of one and one-half percent, or silt and crusher dust finer than the No. 100 standard sieve in excess of two percent. When all three groups of such deleterious materials are present in the aggregates, the combined amounts shall be less than five percent of the combined aggregate. These percentages shall be based on the weight of the combined aggregate as used in the concrete. The maximum size of the aggregate is the clear space between the sides of the smallest square opening through which eighty-five percent by weight of the coarse aggregate can be passed. See C26-315.0 (7.1.2.1). All aggregates shall be free from frost or lumps of frozen material. Where stationary aggregate bins are provided, a coil of steam pipe shall be arranged around the outlet of the bin so that the aggregates can be heated to remove frost and frozen lumps. To facilitate proportioning between fine and coarse aggregates, they shall be separately stored.

1.1.1 Fine Aggregate—All fine aggregate except sand as defined in 1.18 shall be considered as material passing a screen with four meshes per linear inch and shall have at least 15 percent retained on a number 8 screen and consisting of particles one quarter of an inch or less in size. See C26-10.0b (1.2).

1.1.2 Coarse Aggregate—shall be considered as material retained on a screen having four meshes per linear inch, the maximum size shall not exceed $\frac{1}{3}$ the thickness of the thinnest web of any concrete masonry unit when load bearing and $\frac{1}{2}$ the thickness when non-load bearing.

1.2 Blast Furnace Slag—The term "blast furnace slag" shall mean the non-metallic product, consisting essentially of silicates and alumino-silicates of lime, which is developed simultaneously with iron in a blast furnace. C26-24.0 (1.15).

1.3 Cement—Cement for use under these rules shall include only those Portland Cements, or High Early Strength Portland Cements as are approved by the Board. See C26-312.0, c (7.1.1.7.1).

1.4 Cinders—Cinders may contain a maximum of thirty-five percent by weight of unconsumed carbon and a maximum of one-half percent by weight of sulphur. Section C26-309.0 (7.1.1.4). Such cinders shall be of uniform quality, free from dirt, excessive dust, or other injurious or extraneous matter.

1.5 Concrete Brick—Concrete brick shall consist of a structural unit, usually solid, of a size approximately 8 in. x 3 $\frac{3}{4}$ in. x 2 $\frac{1}{4}$ in., except as provided in Rule 6.1.4 with net cross-sectional area at least 75 percent of the gross area. It shall consist of a mixture of Portland Cement and other aggregates to produce a material to meet the strength requirements of Subdivision "a" of Section C-26-307 or C-26-359.0. See C-26-26.0 (1.1.7).

1.6 Concrete Block Products—The term "concrete block products" shall mean bricks, blocks or other units made of cement, aggregates, and water. C26-39.0 (1.30).

1.7 Crushed Stone—The term "crushed stone" shall mean bedded rock or boulders, broken by mechanical means into fragments of varying shapes and sizes. C26-44.0 (1.35).

1.8 Faced Wall—The term "faced wall" shall mean a wall faced with masonry in which the facing and backing are so bonded, or so bonded and anchored, with masonry as to exert common action under load. C26-62.0 (1.5.4).

1.9 Filler Blocks—Filler blocks of concrete masonry units when permanently set in a ribbed floor system, may have structural properties in accordance with the limitations as provided in C26-476.0 (8.5.8) and Rule 9.3.2.

1.10 Gravel—The term "gravel" shall mean rounded particles, larger than sand grains, resulting from the natural disintegration of rocks. C26-79.0 (1.71).

1.11 Hollow Unit—The term "hollow unit" shall mean any masonry unit whose net cross-sectional area is less than seventy-five percent of its gross cross-sectional area in any plane, measured in the same plane. C26-83.0 (1.75) (as laid in the wall).

1.12 Hollow Masonry—The term "hollow masonry" shall mean masonry consisting wholly or in part of hollow units meeting the strength requirements of sections C26-308.0, C26-309.0, and C26-310.0, and in which the units are laid contiguously with the joints filled with mortar. C26-84.0 (1.76).

1.13 Hollow Wall—The term "hollow wall" shall mean a wall built of solid masonry units so arranged as to provide an air space within the wall. C26-85.0 (1.77).

1.14 Masonry—The term "masonry" shall mean stone, brick, concrete, hollow tile, concrete block or tile, or other similar building units, or materials or a combination of them, bonded together with mortar. C26-93.0 (1.85).

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1.15 Non-Bearing Wall—The term "non-bearing wall" shall mean any wall which carries no load other than its own weight. C26-98.0 (1.90).

1.16 Partition—The term "partition" shall mean a non-bearing interior wall one story or less in height. C26-108.0 (1.101).

1.17 Plaster—The term "plaster" shall mean gypsum or Portland cement plaster. Unless otherwise provided, plaster shall be $\frac{1}{2}$ in. of Portland cement plaster consisting of one part Portland cement, three parts sand and 10% lime putty or $\frac{1}{2}$ in. of gypsum plaster consisting of a scratch and brown coat of plaster or gypsum plaster, mixed in proportion of one part gypsum plaster to three parts sand by weight and finished with $\frac{1}{8}$ in. white coat of lime putty or other approved finishing material.

1.18 Sand—The term "sand" shall mean small grains one-quarter of an inch or less in size resulting from the natural disintegration of rocks. C26-131.0 (1.126). Sand shall be clean, sharp, coarse and siliceous, free from salt, lime, clay or other foreign materials. C26-312.0 (7.1.1.7.5).

1.19 Solid Masonry—The term "solid masonry" shall mean masonry consisting of stone, brick, sand-lime or concrete brick, or other solid masonry units, or a combination of these materials, laid contiguously with the spaces between the units filled with mortar, or monolithic concrete. Section C26-136.0 (1.131).

1.20 Solid Structural Unit—The term "solid structural unit" shall mean a building unit having a gross volume at least fifty percent greater than a brick, with a net cross-sectional area in any plane at least seventy-five percent of the gross cross-sectional area measured in the same plane. C26-137.0 (1.132) (as laid in the wall).

1.21 Veneered Wall—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability. C26-157.0 (1.148). Also see Rule 9.1.5.2.

1.22 Water—Water shall be clean, free from all organic materials, strong acids or alkalis, or shall be the water used in the city for drinking purposes. C26-312.0 (7.1.1.7.6).

1.23 Water-Cement Ratio—The term "water-cement ratio" shall mean the total quantity of water entering the mixture, including the surface water carried by the aggregate, expressed in terms of the quantity of cement. The water-cement ratio shall be expressed in United States gallons per ninety-four pound sack of cement. C26-160.0 (1.152).

2.0 CONCRETE (BLOCK) PRODUCT MATERIALS AND WORKMANSHIP.

2.1 Materials—The materials used in the manufacture of concrete block products shall consist of approved Portland Cement or high early strength Portland Cement, mixed with such aggregates as sand, crushed stone, gravel, clean cinders, processed blast furnace slag and burned clay or shale. These materials shall be mixed in such proportions with the proper water cement ratio and so cured that the finished product shall be suitable to the requirements of the specific uses for which approval is sought.

2.2 Fixing of Batches—Batching of all materials shall be by either volume or by weight.

2.3 Water Cement Ratio—The water cement ratio when once determined for any type of concrete masonry unit shall be maintained throughout the manufacture of that particular unit. Corrections shall be made for the water content of the aggregate and

a continuous record of the amount of water added per batch with an estimated allowance for the surface water within the aggregate, shall be kept and made available for inspection during working hours.

2.4 Proportions—The aggregate and the cement shall be proportioned in such a manner that the finished product will meet the quality and strength specifications contained in these rules. The maximum proportions of coarse aggregate, however, shall not exceed sixty percent of the total aggregate as defined herein.

2.5 Quality of Cement (Block) Products—The finished product shall be within the sizes as listed herein, free from cracks and other defects affecting the use and strength of the units and shall be sound in every respect.

2.5.1 The finished product shall have surface texture, color and size suitable to the requirements of its proposed usage.

3.0 SIZES OF CONCRETE (BLOCK) PRODUCTS.

3.1 Height—The height of hollow or solid concrete (block) products for load bearing walls shall not be more than 8 inches. The height of hollow or solid concrete block products for non-load bearing walls shall not be more than 12 inches.

3.2 Thickness—The thickness or width of hollow or solid concrete (block) products for load bearing walls and partitions shall not be less than 4 inches. For non-load walls and bearing partitions, such thickness shall be not less than 3 inches. Units used in furring shall not be less than 2 inches split, 2 inches or 3 inches hollow.

3.3 Length—The length of hollow or solid concrete (block) products shall be not more than 18 inches, except in non-load bearing partitions such units may be not more than 24 inches in length.

3.4 Tolerance—A tolerance of plus or minus $\frac{1}{4}$ inch shall be permitted on all concrete (block) products, except in the thickness of the web and shells where the tolerance shall be $\frac{1}{16}$ inch.

3.5 Header Units—Header units for use with brick or stone masonry making a composite wall, shall not exceed three times the facing unit in height, with a maximum length of 18 inches with cutouts arranged to allow 4 inches of masonry bonding of the facing unit.

3.6.0 Fire Resistive Ratings—Concrete (block) products shall consist of area and thickness of webs and shells for specific uses, as follows:

3.6.1 Fire Walls—Concrete (block) products used as fire walls requiring a fire resistive rating of four hours, shall meet the following requirements:

1. Solid structural units 8 inches thick.
2. Solid cinder concrete blocks 8 inches thick.
3. Solid cinder concrete blocks 6 inches thick plastered on both sides.
4. Hollow concrete blocks (one piece) 12 inches thick with webs and shells at least $1\frac{1}{2}$ inches thick and at least 2 cells in wall thickness.
5. Hollow concrete blocks (one piece) 8 inches thick plastered on both sides, shells of which are at least $1\frac{1}{2}$ inches thick.
6. Hollow concrete block 4 inches in thickness having webs $\frac{7}{8}$ inch and shells

RULES

1 inch when used as a backup with brick at least $3\frac{3}{4}$ inches in width, or limestone or terra cotta with $\frac{1}{2}$ inch of plaster on the concrete block side.

7. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-631.0 (10.4.1.1).

3.6.2. Fire Partitions—Concrete block products for use in fire partitions and shaft enclosures requiring a fire resistive rating of three hours shall meet the following requirements:

1. Solid brick, solid structural units 8 inches thick.
2. Solid cinder blocks, 6 inches thick.
3. Hollow concrete block, 8 inches thick, provided calcareous, burnt clay or cinder aggregates are used and the shells are at least $1\frac{1}{2}$ inches thick, if unplastered and at least $1\frac{1}{4}$ inches thick if plastered.
4. Hollow cinder block 6 inches thick with webs and shells at least $1\frac{1}{2}$ inch thick, plastered on one side.
5. Hollow cinder block 4 inches thick having webs $\frac{7}{8}$ inch and shells $1\frac{5}{16}$ inches plastered on both sides, with at least $\frac{1}{2}$ inch plaster.
6. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-633.0 (10.4.2.1).

3.6.3 Stairway Enclosures and Other Places Requiring Fire Resistive Rating of Two Hours—Concrete block products for these uses shall meet the following specifications:

1. Solid brick or solid structural units 8" thick.
2. Solid cinder block 4" thick.
3. Solid cinder block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-635.0 (10.4.2.3).

3.6.4 Fireproof Partitions—Concrete block for use in fireproof partitions requiring a one-hour fire resistive rating, shall meet the following specifications:

1. Solid or hollow brick or solid concrete block 4" thick.
2. Solid cinder block 3" thick.
3. Hollow concrete block 3" thick having $\frac{7}{8}$ " web and 1" shell plastered on both sides with $\frac{1}{2}$ " plaster.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating.

3.6.5 Protection of Structural Steel—Concrete brick, block or tile, except cinder concrete units may be used in thicknesses and for ratings as follows:

$2\frac{1}{4}$ "	1 Hour
$2\frac{1}{4}$ "	2 Hour
$3\frac{3}{4}$ "	3 Hour
$3\frac{3}{4}$ "	4 Hour

Hollow or solid cinder concrete block and tile having a compressive strength of at least 700 p.s.i. of gross area may be used in thickness and ratings as follows:

$1\frac{1}{2}$ "	1 Hour
2"	2 Hour

2 "
2½"

3 Hour
4 Hour

See C26-309.0.2d. (7.1.1.4) and Rule 5.1.d. C26-575.0 (10.1.4).

Wherever the fire resistive rating is 3 Hours or more, voids between steel and concrete masonry units shall be filled with mortar.

3.6.6 Fire Resistive Rating of Other Materials—Concrete (block) products of materials other than sand, crushed stone, gravel or cinders, shall be required to furnish test data, in accordance with the requirements of C26-571.0 (10.1.1) for the fire resistive rating sought.

4.0 MANUFACTURE OF CONCRETE BLOCK PRODUCTS—

4.1 Proportioning of Aggregates—

4.1.1 Proportioning of aggregate shall be by weight or volume. When the correct mixture is ascertained, the equipment shall be set in such a manner as to insure the batching of the materials in the correct proportions.

4.1.2 Batching of Cement—Cement shall be batched in bags weighing 94 lbs. When cement in bulk is used, because of its tendency to fluff, it shall be weighed and the batch fixed to correspond with the required amount of fluffed bulk cement.

4.1.3 Consistency—Concrete block units made from dense aggregates on tamp or pressure machines shall be mixed as wet as practicable and still preventing sagging or distortion. Concrete made on vibrating or jolting machines shall be mixed as dry as practicable so as to completely fill the molds and produce a pronounced water web on the surface without slumping or sagging. Where the wet cast method of manufacture is used, the water content should be reduced to a minimum and the mixture vibrated or tamped and spaded so as to eliminate aggregate pockets and to insure filling of the molds.

4.1.3.1 Storage of Materials—Cement and aggregates shall be stored in such manner as to prevent deterioration or intrusion of foreign matter. Any material which has deteriorated or damaged shall not be used in the manufacture of concrete (block) products.

4.1.3.2 Freezing Weather—No concrete (block) products shall be manufactured during freezing weather unless artificial heat is provided so as to permit the manufacture, curing and drying of concrete (block) products of properties as provided in these Rules.

4.2 Mixing Machinery.

4.2.1 The dry mixing of dense aggregates and cement shall be for at least one minute before the addition of water. After the water is added, the mixture shall be mixed for at least four minutes.

4.2.2 After all materials are placed in the mixer, they shall be mixed continuously from 4 to 8 minutes.

4.2.3 The mixing machine shall be of such type and capacity so as to insure thorough mixing. Each mixing machine shall be provided with a device for measuring and controlling the added water. A clock for timing the mix, with a dial not less than 8 inches in diameter with a large sweep second hand, shall be placed in such a position as to be readily readable by the operator of the mixer.

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Where practicable the timing of the mixing shall be integrated with the capacity of the molding machine, in which event the manufacturer shall certify that the mixer used is of a size that will produce properly mixed materials in accordance with the mixing time as provided in Rule 4.2.0.

4.2.4 The block molding machinery shall consist of hand or power operated molding machines with compacting by pressure or tamping by hand or power, or by power vibration so as to produce concrete block products of such densities as required to produce strength and absorption values consistent with the rules and proposed use of the finished product. Precautions shall be taken to ascertain how much tamping or vibrating shall be provided so as to maintain the same density in all concrete (block) products, using the same ratio of fine and coarse aggregates, so as to maintain uniformity.

4.3 Curing of Concrete (Block) Products.

4.3.1 Method of Curing—All concrete (block) products shall be properly cured by either steam curing or by storing in an enclosed space and subjecting to artificial heat and moisture as follows:

4.3.1.1 Steam curing of freshly moulded units shall be accomplished by placing the units to be cured in a steel cylinder, room or tunnel made tight and so designed as to provide moisture above the saturation point at any temperature used. For low pressure steam and temperatures up to 140° F., the curing time shall not be less than 12 hours. For high pressure steam ranging from 120 to 125 p.s.i. and temperatures between 300-400° F. such period shall not be less than 6 hours. All units shall be properly dried prior to usage.

4.3.1.2 Wet curing of freshly moulded units shall be accomplished by placing such units in reasonably tight rooms or enclosures heated to prevent freezing and equipped with fog nozzles to provide moisture. When the outside temperature drops below 50° F., heat in addition to moisture must be supplied to maintain a temperature of at least 50° F. for not less than 72 hours. After curing, such units shall be stored under cover and allowed to dry for at least 25 days prior to usage.

5.0 PROPERTIES OF CONCRETE (BLOCK) PRODUCTS.

5.1 Concrete (block) products shall have properties as follows:

a. Hollow concrete block or tile when delivered for use shall have a minimum ultimate compressive strength of seven hundred pounds per square inch of gross area tested as laid in the wall.

b. Solid concrete building block when delivered for use shall have a minimum ultimate compressive strength of fifteen hundred pounds per square inch tested as laid in the wall.

c. Such block or tile shall comply with the following requirements for general properties under visual inspection.

1. They shall be sound, of compact structure, reasonably uniform in shape and free from cracks, warpage or foreign substances which would affect their serviceability or strength.

2. If cinders form part or all of the aggregate, the cinders may contain a maximum of thirty-five per cent by weight of unconsumed carbon and a maximum of one and one-half percent by weight of sulphur.

d. When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per square inch of gross area tested as laid in the wall may be used. See C26-309 (7.1.1.4) as amended by local law 120, approved August 1, 1939, and local law Int. No. 220, passed April 25, 1940.

5.2 Test of Concrete (Block) Products.—

5.2.1 Concrete block products shall be tested in accordance with A. S. T. M. specification C140-39, after proper curing and drying except as follows:

5.2.1.1 High and Low Pressure Steam cured and properly dried blocks immediately after drying.

5.2.1.2 Units cured by artificial heat and sprinklered water when dried under cover may be tested and used in not less than 28 days. And when high early strength Portland Cement is used, such time shall not be less than 15 days.

5.2.1.3 Individual minimum compressive strengths of test specimens shall not be less than:

Hollow units 650 p.s.i. gross cross-sectional area
Solid units 1400 p.s.i. gross cross-sectional area

5.2.1.3.1 The speed of the moving head of the testing machine shall not exceed 0.05 inches per minute.

5.3 Absorption of concrete (block) products shall not exceed 15 pounds of water per cubic foot of concrete nor shall the moisture content when delivered exceed 40 percent of the total absorption based on an average of five units as tested.

5.3.1 Concrete (block) products not exposed to the elements or soil or protected by brick veneer or three coat Portland cement stucco at least 1 in. thick or other approved protective coatings need not be required to meet the absorption tests required under 5.3.

6.0 CONCRETE BRICK.

6.1 Concrete Brick For Use in Masonry Walls.

6.1.1 Concrete brick shall consist of a mixture of Portland Cement sand, gravel, crushed stone or other approved aggregates.

6.1.2 Concrete brick shall be manufactured and cured as provided in Rule 4.0.

6.1.3 The fire resisting rating of concrete brick shall be the same as for ordinary clay brick of similar thickness.

6.1.4 The size of concrete brick shall be as follows:

Depth 2¼" — 1/16" Tolerance
Width 3¾" — 1/8" "
Length 8" — 1/4" "

6.1.4.1 Concrete bricks of sizes different from the above may be used when approved by the Board.

6.2 Physical Requirements for Concrete Brick.

6.2.1 Strength of Concrete Brick — Concrete bricks shall have an average compressive strength, when tested flatwise, of 2500 p.s.i. for an average of 5 specimens, with no individual minimum less than 10%. The modulus of rupture, flatwise, for an average of 5 specimens tested shall be not less than 450 p.s.i. with no individual minimum less than 10%.

6.2.2 Absorption of Concrete Brick—Absorption requirements shall be the same as those provided for concrete (block) products in Rule 5.3.

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7.0 FILLER BLOCK FOR RIBBED FLOOR CONSTRUCTION.

7.1 Ribbed floor construction shall include floor systems with slabs and ribs placed monolithically between permanent or removable fillers, in which the ribs are spaced thirty inches or less from face to face. The ribs shall be straight, at least four inches in width, and of a maximum clear depth of not to exceed three times the average width. See C26-476.0a (8.5.8).

7.2 When concrete or scored burnt clay tile are used, the thickness of the slab shall be at least one-twelfth of the clear distance between the ribs with a minimum of one and one-half inches. Where such tile are of strength at least equal to that of concrete and the joints are staggered, the shells in contact with the concrete may be included in the resisting sections. In a two-way construction, provided the tile filler is completely surrounded by concrete ribs as specified, the exterior shells of the tile in contact with the concrete may be used for strength calculations for shear and bending and where the top slab is not required for strength such top slab may be omitted provided the construction is protected by at least two inches of incombustible material. See C26-476.0 (8.5.8) b.

7.3 Concrete filler block or tile for use in ribbed floor construction shall consist of a mixture of Portland cement or high early strength Portland cement, sand, gravel, crushed stone or other approved aggregates, manufactured, cured and stored as provided in Rule 4.0.

7.4 For use in ribbed floor construction, such filler tile or block shall have webs and shells not less than 1" in thickness and shall have properties as follows:

7.4.1. The surfaces of the filler block in contact with the concrete rib and top slab shall provide a good bond.

7.4.2 The average compressive strength over the net area of five such filler units, when manufactured, cured and stored as required in Rule 4.0, shall be at least equal to that of the concrete in the ribs of a specific job on which it is to be used.

7.4.3 The modulus of elasticity of the mix used shall be determined preferably from a test of an average of six filler blocks or in lieu thereof five tamped and rodded cylinders approximating a density (checked by weighing) equivalent to that of the filler block, 6 inches in diameter and 12 inches high, when manufactured, cured and stored under the same conditions as the filler units and as required in Rule 4.0. From the value of modulus of elasticity as obtained in this test and that of the concrete in the rib, a composite modulus shall be derived, in accordance with the theory of flexure as defined in Hooke's Law. The percentage obtained from the ratio of the modulus of elasticity of the composite section to the modulus of elasticity of the concrete in the rib will provide a new "n" value indicative of the resistance of the composite construction of the particular filler block and type of concrete used in the rib.

7.4.4 The materials and method of mixing as used to determine the physical properties of filler block in Rules 7.4.1 and 7.4.3, once fixed, shall be maintained for that job order to assure the delivery of homogeneous units of a type as tested.

8.0 MARKING OF ALL CONCRETE (BLOCK) PRODUCTS.

8.1 Concrete block products used as fillers and in partitions, furring or fireproofing purposes and tested to a compressed strength of 300 p.s.i. over the gross area, shall have a clearly discernible mark distinguishing them from load-bearing units.

8.2 Units used for load bearing walls and tested to a compressive strength of over the gross area of 700 p.s.i. for hollow units and 1500 p.s.i. for solid units, suitably identified in the case of load-bearing hollow units, either by having the letters "L.B.H.", or by having a raised vertical mark on the end web at least one inch wide and extending one-half the height of the unit and in the case of load-bearing solid units either by having the letters "L.B.S." or a raised vertical mark at least one-half inch wide on the web for the full height of the unit, and which also shall have the manufacturer's distinguishing mark as provided in Rule 8.4. On each shipment to a job, the delivery slip shall qualify the markings on the concrete masonry units.

8.3 Units used for filler blocks in ribbed floor construction shall be identified as filler block, "F.B.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.4 The manufacturer's distinguishing mark shall consist of an impression or embossing on the unit. Such distinguishing mark shall be filed with the Board and with the Borough Superintendent of Housing and Buildings where such units are to be used. All delivery slips shall be stamped, reading as follows:—Approved by the Board of Standards and Appeals for use in New York City under Cal. No.....

8.5 Contracts for all concrete (block) products shall include a proviso from the manufacturer or his representative stating the material, type, use, compressive strength, water absorption, and, in addition, in the case of filler block, the modulus of elasticity.

9.0 USES OF CONCRETE (BLOCK) PRODUCTS.

9.1. Hollow Units.

9.1.1 Load Bearing Hollow Units.

9.1.1.1 Hollow concrete block or tile, when delivered for use, shall have a minimum ultimate compressive strength of 700 p.s.i. of gross area tested as laid in the wall. C26-309.0 (7.1.1.4)a.

9.1.1.2 The allowable working stresses for concrete block or tile masonry, due to combined live and dead loads, shall be one-tenth of the ultimate compressive strength where cement mortar is used, and one-twelfth where cement lime mortar is used. Concrete block or tile building units for load bearing walls or piers shall be laid in cement or cement lime mortar. C26-358.0 (7.4.2.4).

9.1.2 Masonry foundation walls shall have a thickness at least equal to that of the wall next above, and at least equal to the thickness given in inches in the table below:

	Solid masonry	Hollow masonry	Hollow walls of brick (concrete)
Private dwellings at most twenty feet high and one-story structures at most twenty feet high....	8	12	12
Private dwelling over twenty feet high or other structures of more than one-story and over twenty feet high	12	16	16

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Foundation walls of hollow blocks may be used above grade when the upper walls are of wood frame or of hollow building block construction. All other foundation walls shall be of solid masonry, except when the structure is without basement or cellar. C26-397.0 (8.3.1.6).

9.1.3 Thickness.

In structures over two stories high, except private residences, foundation walls shall be at least four inches thicker than the wall section next above, except that when the walls are of hollow units or are hollow walls of brick, the foundation walls may be of the same thickness as the walls next above, provided such foundation walls are built of solid masonry or concrete and that as maximum of two stories above the foundation are of the same thickness. C26-397.0 (8.3.1.6)c.

9.1.4 Walls of Hollow Block or Tile.

9.1.4.1 Walls of hollow block or tile or solid structural units shall have the spaces between the units filled with mortar. The requirements of sections C26-416.0 through C26-421.0 and of section C26-426.0 shall apply to such walls.

9.1.4.2 In all walls of hollow block or tile or solid structural units, built only one unit in thickness, each unit shall break joints with those next above. When more than one unit is required to produce a given wall thickness, the units shall break joints with the units next above and shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers.* In the case of non-bearing interior partitions one story or less in height, constructed of units to be left exposed on one or both sides for architectural effect, these bonding requirements may be waived.

* The bonding specified applies only to combination walls of hollow block, tile or solid structural units and does not apply to faced walls covered by C26-440.0 (8.4.7).

9.1.4.3 Where walls of hollow masonry are decreased in thickness, the units in the top course of the thicker wall shall be filled solidly with concrete or shall be covered with slabs of solid masonry at least one inch in thickness, or solid units shall be used for the top course.

9.1.4.4 Where anchors are used in walls of hollow masonry, such anchors shall be galvanized, or shall be of non-corroding metal of adequate size and substantial construction.

9.1.4.5 Where hollow units are set with cells horizontal, such units shall be set in a full bed of mortar one-half of an inch or less in thickness, with vertical joints buttered full on shells and webs; where such units are set with cells vertical, the bearing members shall be buttered and vertical joints slushed full of mortar.

9.1.4.6 Wherever girders, beams, joists, or other structural members frame into masonry of hollow block or tile or solid building block, such members shall rest upon such solid incombustible material as will properly distribute the load.

9.1.4.7 The minimum thickness in inches of bearing walls of hollow masonry, except in private dwellings thirty-five feet or less in height, and mixed occupancies as provided in subdivision a of section C26-443.0, shall be:

40	10			
30	10	10		
20	12	10	10	
10	12	12	10	10
Height of wall in ft.	40	30	20	10

9.1.4.8 The maximum height for walls or portions of walls of hollow masonry in any class of structure shall be forty feet above the support of such walls or portions of walls.

9.1.4.9 Walls of hollow masonry may be constructed to the maximum permissible height on top of a solid masonry wall whose maximum height is thirty feet above the first tier of beams. The minimum thickness of such walls shall be based upon the requirements of section C26-427.0, and if such walls are bearing walls, such thicknesses, shall be based on the requirements of subdivision g of this section, and the solid masonry wall below shall be at least of the same thickness as that of the hollow masonry wall. See C26-431.0 a through i (8.4.3.2).

9.1.5 Veneered Walls.

9.1.5.1 Anchorage for veneered masonry walls shall comply with C26-437.0-1-2-3 (8.4.6.1 through 8.4.6.3).

9.1.5.2 Thickness and height of veneered walls shall not be included in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations. See C26-438.0 (8.4.6.2).

9.1.6 Faced Walls.

9.1.6.1 Faced walls shall be of at least the thickness required for masonry walls of the material forming the backing. Facings of brick or solid structural units shall be bonded into the backing with headers, or stretchers at least four inches thicker than the facing, the equivalent of one-sixth of the area of wall. Dressed stone facings shall be bonded to the backing with the equivalent of approximately one-fifth of the superficial area in bond stone at least four inches thicker than the facing, in addition to which, every stone other than bond stone shall be anchored to the backing with at least one non-corroding metal anchor, at least three-sixteenths of an inch by one inch, or the equivalent, in cross-sectional area. In the case of plain coursed ashlar the bond stone shall occur at least as every alternate stone in every third course.

In the case of random ashlar, range work or other jointing schemes where the more frequently spaced smaller units are used for bond stone, the metal anchors may be omitted, provided the superficial area of the bond stone is at least equal to that required for brick facing, one-sixth the area of the wall.

When faced walls are built of different materials, the minimum thickness shall be that required for masonry walls built entirely of the material having the lower compressive strength.

The height of a single course in faced walls shall, in all cases, except for pilaster and spandrel facing stone, be at most ten times the thickness of the facing material.

When facing is used, such facing shall not be figured in the strength of the wall unless

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such facing is at least four inches in thickness or at least the normal thickness of an average brick.

See C26-440.0 a through e (8.4.7).

9.1.6.2 The total thickness of the wall, except as noted above, shall be used in computing the load carrying capacity of the wall, and the average allowable stress shall be based on the ultimate compressive strength of the weaker material.

9.1.7 Party and Fire Walls.

9.1.7.1 Party walls may be of any type of masonry provided for herein and shall comply with all requirements for bearing walls. Party walls which function also as fire walls shall, in addition, conform to the requirements of section C26-631.0 and of section C26-632.0.

It shall be unlawful to load any party wall on either side to more than fifty percent of its allowable loading. See C26-441.0 (8.4.8.1).

9.1.7.2 Fire walls of masonry shall meet the material, thickness and construction requirements of section C26-631.0 and of section C26-632.0. See C26-442.0 (8.4.8.2) and Rule 3.6.1.

9.1.8 Special Forms of Walls.

9.1.8.1 Bearing Walls for Private Dwellings—Bearing walls for private dwellings shall have a minimum thickness for dwellings thirty-five feet or less in height as follows:

				Hollow Masonry and Hollow Walls of Solid Structural Units			
				Solid Masonry			
3	.....	8	..	..	8	..	..
2	.....	8	8	8	8	8	..
1	.....	8	8	8	10	8	8
Stories	....	3	2	1	3	2	1
See C26-443.0 (8.4.9.1).							

9.1.8.1.1 In such cases, faced walls of 4 inches of brick and 4 inches of hollow block may be used with header courses every 7th course. This shall apply to residence buildings only, which are not in excess of two stories or 20 feet in height.

9.1.8.1.2 In three-story structures having a maximum width of twenty-five feet, where the first story is used for commercial purposes and the upper stories for residence purposes, the minimum thickness of bearing walls shall be eight inches. See C26-443.0 (8.4.9.1.1).

9.1.9 Parapet Walls.

Parapet walls may be constructed of hollow masonry, in accordance with C26-444.0 (8.4.9.2).

9.1.10 Non-Bearing Masonry Walls.

The minimum thickness of non-bearing masonry walls, except as provided in sections C26-428.0 and C26-446.0, may be four inches less than the

thickness required for bearing walls, except that any such wall shall be at least eight inches thick. See C26-445.0 (8.4.9.3).

9.1.11 Panel Apron and Spandrel Walls.

Panel, apron and spandrel walls of masonry in skeleton frame structures shall be at least eight inches thick if such walls are constructed of solid masonry, or at least twelve inches thick if such walls are constructed of hollow masonry or at least ten inches thick, if such walls are constructed of combinations of hollow and solid masonry, except that spandrel and apron walls may be eight inches thick or may be of materials, or of assemblies or materials, other than masonry, meeting the requirements of article eleven of the Building Code. Combinations of hollow and solid masonry shall be constructed with at least four inches of solid masonry on the exterior face. The maximum height between supports of such walls when constructed of these minimum thicknesses shall be thirteen feet. When such walls exceed thirteen feet in height, they shall be increased two inches in thickness for each six and one-half feet or fraction thereof that the height is increased.

Panel walls shall be bonded or otherwise so secured to the structure as to furnish adequate lateral support to the wall. See C26-446.0 (8.4.9.4).

9.1.12 Enclosure Walls.

Enclosure walls shall meet all the requirements of height, thickness and type of construction prescribed for bearing walls. See C26-447.0 (8.4.9.5).

9.1.13 Masonry Curtain Walls.

Curtain walls of solid masonry shall be at least eight inches thick for the uppermost thirteen feet and at least twelve inches thick for the next fifty-two feet or fraction thereof below and shall be increased four inches in thickness for each succeeding sixty feet or fraction thereof below.

When masonry curtain walls are built of masonry other than solid masonry, such walls shall be at least ten inches thick for the first thirteen feet, twelve inches thick for the next lower thirty-nine feet and shall be increased in thickness four inches for each thirty-nine feet or fraction thereof next below, provided that the maximum horizontal distance between lateral supports shall be twenty feet. When the distance between the lateral supports exceeds twenty feet, the thicknesses of all walls specified in this section shall be increased four inches for each additional ten feet or fraction thereof between lateral supports. Curtain walls of hollow masonry twelve inches or more in thickness shall be made of at least two bonded units. See C26-448.0 (8.4.9.6).

9.2 Uses of Concrete Block Products including Concrete Brick.

9.2.1 Solid building block when delivered for use shall have a minimum ultimate compressive strength of 1500 p.s.i. tested as laid in the wall. C26-309.0 b (7.1.1.4).

9.2.2 The allowable working stresses for solid units of concrete (block) products shall be in accordance with the requirements of C26-358.0 (7.4.2.4) and for concrete brick the allowable working stresses shall be as provided for in C26-356.0 a, (7.4.2.2).

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9.2.3 Solid units may be used wherever hollow units are permitted under Rule 9.1 when used under the same conditions. In addition to such uses, solid units shall be used as follows:

9.2.3.1 Solid Units in Masonry Foundation Wall.

Solid concrete (block) products for use in masonry foundation walls shall be in accordance with the requirements of Rule 9.2.1-2.

9.2.3.2 Masonry piers shall be built of solid masonry and, except as provided in section C26-314.0, shall be laid in cement mortar or cement-lime mortar, and the maximum unsupported height shall be ten times the least dimension. Sections of panel walls in skeleton construction shall not be considered as piers.

It shall be unlawful to have openings or chases within the required area of any pier. Masonry piers shall be bonded in accordance with the requirements of C26-424.0 except that when concrete (block) products are used, they shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers. See C26-431 b2. See also C26-415.0a.

9.2.3.3 Solid Masonry Walls.

9.2.3.3.1 Bonding of Wall Intersections.

When two bearing walls meet or intersect and the courses are carried up together, the intersection shall be bonded by laying in a true bond at least fifty percent of the units at the intersection.

When the courses of meeting or intersecting bearing walls are carried up separately, the perpendicular joint shall be regularly toothed or blocked with eight-inch maximum offsets, and the joints shall be provided with metal anchors having a minimum section of one-quarter of an inch by one and one-half inches, with ends bent up at least two inches, or with cross pins to form anchorage. Such anchors shall be at least two feet long and the maximum spacing shall be four feet.

Meeting or intersecting non-bearing walls shall be bonded or anchored to each other in an approved manner. See C26-426.0 (8.4.2.4).

9.2.3.3.2 Thickness of Solid Bearing Walls.

The thickness in inches of solid masonry bearing walls for the respective story heights, with the exception of private dwellings thirty-five feet or less in height and mixed occupancies provided for in section C26-443.0, shall be at least:

8	.....	12							
7	.....	12	12						
6	.....	12	12	12					
5	.....	12	12	12	12				
4	.....	16	12	12	12	12			
3	.....	16	16	12	12	12	8		
2	.....	16	16	16	12	12	12	8	
1	.....	20	16	16	16	12	12	12	8
Stories..	8	7	6	5	4	3	2	1	

For the purpose of calculating wall thicknesses, thirteen feet shall be as-

sumed to be the maximum height of a story.

Regardless of the requirements of this section, it shall be unnecessary for the thickness of solid masonry bearing walls for structures of at most seventy-five feet in height to exceed twelve inches for the uppermost fifty-five feet* of height and sixteen inches for wall below the required twelve-inch wall. Where, under the foregoing provision, a change in required thickness of wall occurs between two floors, thickness required at that tier of beams nearest the elevation of the required change shall govern.

* Note:—The Board under Calendar 308-38-A interpreted the Building Code requirement as follows:

"WHEREAS, it has been brought to the board's attention that there is a conflict of opinion as to the intent of section C26-427.0 of the administrative code (8.4.2.5).

Resolved, that section C26-427.0 of the administrative code (8.4.2.5) shall be taken to mean as follows, as to figuring the uppermost 55 feet of bearing wall and the point where a change of thickness is required: height of wall and height of story are defined in C26-82.0 (1.74). Subject to this definition as to parapet, the top of the wall shall be taken as the top surface of the highest point of the beams directly supporting the roof boarding. When the base of the 55 foot wall occurs between floors, this shall be taken to mean within the story as defined in C26-145.0 (1.138). If the base of such wall occurs at a point below the middle point in the height of a story, the change of wall thickness may be made at the next lower tier of beams. If the base of such wall occurs above the middle point in the height of a story, the thicker wall shall be carried up to the next higher tier of beams. For calculation of wall thickness, the code provides that 13 feet shall be assumed as the maximum height of a story."

When the clear span between bearing walls or between a bearing wall and an intermediate support is more than twenty-six feet, the thickness of such walls shall be increased four inches in thickness for each twelve and one-half feet or fraction thereof that such span is in excess of twenty-six feet, except where such bearing walls are adequately reinforced by buttresses. See C26-427.0 (8.4.2.5).

9.2.3.3.3 Thickness of Interior Walls in Residence Structures.

The thickness in inches of interior bearing walls with bearing on both sides in residence structures for the respective story height shall be at least:

6	.....	8						
5	.....	8	8					
4	.....	8	8	8				
3	.....	8	8	8	8			
2	.....	12	8	8	8	8		
1	.....	12	12	8	8	8	8	
Stories	...	6	5	4	3	2	1	

Where interior walls in residence structures have bearing on one side only or are non-bearing, the required thickness in inches shall be eight inches for the uppermost fifty-five feet of wall height and twelve inches below the fifty-five feet foot distance from top of such walls.

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Where wood floor and roof beams bear on both sides, such beams shall be staggered on the bearing wall and there shall be at least four inches of masonry between any two such wood beams.

The maximum length of such bearing and non-bearing walls between cross-walls, cross-bracing, piers or buttresses shall be thirty feet. See C26-428.0 (8.4.2.6).

9.2.3.3.4 Solid Masonry Walls Above Roof Levels.

Solid masonry walls above roof levels, twelve feet or less in height, enclosing stairways, elevator shafts, penthouses, or bulkheads shall be at least eight inches thick and may be considered as neither increasing the height nor requiring any increase in the thickness of the wall below, provided the allowable working stress requirements are met. See C26-429.0 (8.4.2.7).

9.2.4 Special Forms of Masonry.

9.2.4.1 Increasing height of walls.—If it is desired to increase the height of any wall, erected before January first, nineteen hundred thirty-eight, which is thinner than required by the Code, such wall shall be reinforced by a lining of solid masonry so that the combined thickness shall be at least four inches more than is required for a new wall corresponding with the total height of the wall when increased in height; provided that it shall be unlawful to use such lining to a greater height than forty feet or to increase the height of such wall to exceed seventy-five feet. Such lining shall be supported on proper foundations and shall be at least eight inches in thickness and so anchored to the old wall as to make the reconstructed wall act as a unit. Where any lining is to be built against an old wall, such wall shall be first cleaned of plaster or other coatings. Walls to be lined shall be in good condition and the approval of the superintendent shall be necessary before the work begins. See C26-454.0 (8.4.9.12).

9.2.4.2 Height of Unsupported Walls.—The maximum unsupported height of any masonry wall during the period of construction shall be two stories or twenty-six feet, unless satisfactory support is provided and specific approval of the superintendent obtained, except when walls are carried separately by structural members on each story. See C26-445.0 (8.4.9.13).

9.2.4.3 Stairway, Elevator and Similar Enclosures.

Enclosing walls of interior shafts, if non-bearing, shall meet the requirements for non-bearing walls, and if such walls are bearing, they shall meet the requirements for bearing walls, except as provided in section C26-428.0, and where such enclosing walls are

supported at each story on structural members.

Where the enclosures are supported by structural members at each story, such enclosures shall meet the requirements of sections C26-638.0 through C26-647.0 and of sections C26-660.0 through C26-665.0. See section C26-456.0 (8.4.9.14).

9.3 Filler Block for Ribbed Floor Construction.

9.3.1 Filler blocks of concrete (block) products used merely as fillers in ribbed floor construction, shall consist of any approved concrete (filler block) product with no structural properties of resisting shear and bending attributed to it in the computations.

9.3.2 Filler blocks of concrete (block) products used in resisting shear and moment, as provided in C26-476.0 (8.5.8) and having properties as provided in Rule 7.0, may be used in one and two-way ribbed floor construction. When so used, the analysis and application of the equivalent resisting section shall be as follows:

9.3.2.1 Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and the slab plus the shell and top flange of the concrete (block) product.

9.3.2.2 Equivalent resisting reinforced composite section to resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the block plus 50 per cent of the bottom flange in one-way construction and all of such flange in two-way construction.

9.3.2.3 The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler block.

9.3.2.4 The equivalent resisting reinforced composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell plus 50 per cent of the horizontal flanges of the filler block in one-way construction and all of such flanges in two-way construction, provided that the filler block is entirely surrounded by concrete ribs and the joints between the blocks are staggered.

9.3.3 In the construction of all ribbed floor systems precautions shall be taken so that the edges of filler blocks shall be placed straight and in plane so as to provide tight, uniform joints where they contact. All burrs shall be removed.

9.3.3.1 Filler blocks of special types for ribbed floor systems may be manufactured as provided herein and tested under the requirement of C26-626.0 (10.3.8) for such values as may be justified from the test results in accordance with the aforesaid section.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 33

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Interior Fire Alarm Rules.

Factory Exit Rules.

Smoking in Factories, Rules.

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Cal. No.	Department.	Premises Affected.
844-40-SM		Miracle Lime (Hydrated Lime), manufactured by G. & W. H. Corson, Incorporated, Material.

845-40-SM		Pyro-Gard (fireproofing com- pound for wood, cloth and paper), manufactured by Jacob Rich, Material.
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846-40-SM		Metal Door and Trim Company One and One-Half Hour Hol- low Metal Doors, Flush and Panel Types, manufactured by Metal Door and Trim Com- pany, Material.
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847-40-A	F.D.	1123-1127 Broadway and 9 West 25th street, northwest corner (Block No. 827, Lot No. 28), Borough of Manhattan, 5422-L.F. and Decision.
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848-40-A	H.B.B.	1657-1659 New York avenue (1653 displayed), east side, 107 ft. 6 in. north of Avenue H (Block No. 7561, Lot No. 11), Borough of Brooklyn, N.B. 1663-40.
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849-40-A	F.D.	419-423 East 48th street, north side, 110 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhat- tan, 5111-L.F. and Decision.
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850-40-SM		Gold Bond Travacoustic, Trava- coustic and Travacoustic Units, manufactured by National Gypsum Company, Material.
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851-40-SM		Simplex Acoustimetal, Acousti- metal Simplex and Perforated Metal Acoustical Treatment, manufactured by National Acoustics, Incorporated, Material.
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852-40-A	F.D.	232 West 48th street, south side, 242 ft. ½ in. east of Eighth avenue (Block No. 1019, Lot No. 154), Borough of Man- hattan, 22124-L.C. and Decision.
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DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

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Vacuum Breakers	May	28, 1940—Vol. 25, No. 22

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are en-
titled to one copy of Form 7NO.

If they desire additional copies, for their own conven-
ience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals
Room 1018, Municipal Building, Manhattan, at three cents
each—postage to be added if the forms are forwarded by
mail.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS,
ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED
DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

(108-16-SR)

Chapter 19—487E-2.0.c.1.

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter 19—487E, Administrative Code and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Administrative Code and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools, and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The Board of Standards and Appeals in the City of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty per centum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Interior Fire Alarms:—In every hotel, lodging-house, public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of such buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances.

Rule 1. Definition of Terms

- 1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.
- 1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.
- 1.3 The term "heretofore" shall mean before December 31, 1936.
- 1.4 The term "hereafter" shall mean after December 31, 1936.
- 1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.
- 1.6 The term "commissioner" shall mean the Fire Chief and Commissioner of the fire department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.

Rule 2. General

- 2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.
- 2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No.", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

- 3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

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Rule 4. Classification

- 4.1 Fire alarm signal systems shall be classified as follows:
- (a) Non-coded closed circuit fire alarm systems.
 - (b) Coded closed circuit fire alarm systems.
- 4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.
- 4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.
- 4.3 Coded closed circuit systems shall be divided into three (3) classes:
- Class 1—General Systems.
 - Class 2—Pre-signal or dual operation systems.
 - Class 3—Unit and general systems—or Duplex systems.
- 4.4 Class 1 system shall be a general alarm system of the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.
- 4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.
- 4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.
- 4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.
- 4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.
- 4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.
- 4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.
- 4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.
- 4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.
- 4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in

the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

- 5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.
- 5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.
- 5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.
- 5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

- 6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.
- 6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.
- 6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.
- 6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.
- 6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.
- 6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.
- 6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.
- 6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.
- 6.9 Wood screws shall be used for fastening equipment to wood surfaces.
- 6.10 The use of nails or wood or fibre plugs is prohibited.
- 6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths ($\frac{7}{8}$) inch thick, impregnated with a non-absorptive compound. The back

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board shall be so mounted as to provide an air space of at least one-quarter ($\frac{1}{4}$) inch between the back board and the wall for free circulation of air.

- 6 12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.
- 6 13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.
- 6 14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.
- 6 15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.
- 6 16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.
- 6 17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.
- 6 18 Conduits shall contain only conductors used in connection with the fire alarm system.
- 6 19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half ($\frac{1}{2}$) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths ($\frac{3}{64}$) inch thick.
- 6 20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.
- 6 21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations.

- 7 1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

- 8 1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

- 9 1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

- 10 1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

- 11 1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

- 12 1 Sources of electrical energy used in operating fire alarm signal systems shall be:

- 1. Generated electric power, not exceeding a potential of 250 volts, including:

- (a) Central Stations
- (b) Isolated Plants

- 2. Storage battery power

- 12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

- 12 2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

- 12 3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

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Isolated Plants

- 12 4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

- 12 5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.
- 12 6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors. In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test.

- 13 1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.
- 13 2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.
- 13 3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test.

- 14 1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.
- 14 2 Each sending station shall be tested at least once a month.
- 14 3 All apparatus requiring winding shall be re-wound after each operation and kept in normal condition.
- 14 4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

- 15 1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.
- 15 2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.
- 15 3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

- 16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.
- 16 2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.
- 16 3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.
- 16 4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.
- 16 5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.
- 16 6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.
- 16 7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.
- 16 8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.
- 16 9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.
- 16 10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.
- 16 11 Contact points shall be in multiple.
- 16 12 Contact points and contacts of the testing devices

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shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

16 13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.

16 14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.

16 15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

17 1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.

17 2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

18 1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.

18 2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

19 1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

19 2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.

19 3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

19 4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

20 1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instruction for use.

20 2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

21 1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.

21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.

21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A.C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.

21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.

21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.

21.7 Electro-magnet coils shall be securely fastened to prevent floating.

21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.

21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.

21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.

21.10.1 Paint or varnish for this purpose shall not be used.

21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths (3/8) inch in diameter.

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- 21 13 Gong shells shall be covered with an approved rust preventive.
- 21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

- 21 15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.
- 21 16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.
- 21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.
- 21 18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half ($\frac{1}{2}$) inch to each other, unless separated by approved barriers.

Relays

- 21 19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.
- 21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.
- 21 19.2 The use of spiral springs is prohibited.
- 21 20 Adjustments shall be of such a character that they can be securely locked.
- 21 21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.
- 21 22 Contact arms shall be of phosphor bronze and be of the dead beat type.
- 21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.
- 21 24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.
- 21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

- 22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

- 22 2 The operation of the time limit delay device shall cause the trouble bell to ring.
- 22 3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.
- 22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single

time limit delay device shall not affect other sounding devices similarly protected.

- 22 5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.
- 22 6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.
- 22 7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

- 22 8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

- 22 9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

- 22 10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.
- Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.
- 22 11 Ferrule or knife contact type resistors shall not be used.
- 22 12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.
- 22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

- 23 1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.
- 23 2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half ($\frac{1}{2}$) inch in thickness.
- 23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.
- 23 4 Provision shall be made for ample wire gutter space around the panel.

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- 23 5 Conduit knockouts shall not be provided in top of control board cabinet.
- 23 6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.
- 23 7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.
- 23 8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

- 24 1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located on clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.
- 24 2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths ($\frac{7}{8}$) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.
- 24 3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths ($\frac{7}{8}$) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths ($\frac{7}{8}$) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.
- 24 4 Storage batteries may be placed on enameled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

- 25 1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

- 26 1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.
- 26 2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.
- 26 2 1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

- 26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.
- 26 4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.
- 26 5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.
- 26 6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.
- 26 7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.
- 26 8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.
- 26.8 1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.
- 26 9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.
- 26 10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.
- 26 11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.
- 26 12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.
- 26 13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone—or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

- 27 1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York. The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

- 28 1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

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FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair treads constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fires escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor level and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

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The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupants as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unob-

structed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

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In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

Vol. XXV	Subscription \$2.50 a year	AUGUST 20, 1940	Single Copies, 5 cents By Mail, 8 cents	No. 34
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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Docket.

Rules Directory.

Fusion Welding and Gas Cutting Rules.

Rules for Inspection of Opening Protective Assemblies.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to August 20, 1940.

Cal. No.	Department.	Premises Affected.
853-40-BZ....	H.B.Bx....	1815-1819 Westchester avenue and 1301-1317 Taylor avenue, northwest corner (Block No. 3877, Lot Nos. 1, 66 and 67), Borough of The Bronx, Decision—re Certificate of Occupancy.

854-40-BZ....	H.B.B....	56-78 Hegeman avenue and 610- 614 Bristol street, southwest corner, and 1001-1009 Hop- kinson avenue (Block No. 3633, Lot Nos. 27, 30 and 33), Borough of Brooklyn, D.C. Applic. 770-40.
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855-40-SM.....	Metropolitan Paving Brick Com- pany's Glazed Brick and Tile, manufactured by Metropolitan Paving Brick Company, Material.
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856-40-SM.....	Hanley Glazed Brick and Tile, manufactured by Hanley and Company, Material.
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857-40-SM.....	Arketex Ceramic Glazed Brick and Tile, manufactured by Arketex Ceramic Corporation, Material.
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858-40-A.....	F.D.....	321-331 East 70th street, north side, 175 ft. west of First ave- nue (Block No. 1445, Lot Nos. 14 to 19), Borough of Manhattan, 22673-L.C.
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859-40-SM.....	Dextone, Dextone Mo-Sai and Dextolite (cast stone), manu- factured by The Dextone Company, Material.
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860-40-BZ....	H.B.Q.....	77-40 to 77-68 Vleigh place, north- west corner of 78th avenue (Block No. 6608, Lot No. 2). Flushing, Borough of Queens, N.B. 5283-40.
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861-40-A.....	H.B.B....	2101-2123 Albemarle road, south side, 190 ft. east of Flatbush avenue (Apt. No. 1-N);
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862-40-A.....	F.D.....	East side of Smith street, from Halleck street to Sigourney street (Block No. 493, Lot No. 1), Borough of Brooklyn, 84470-L.C.
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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Last Publication in Bulletin

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Carbon Dioxide Liquefier Rules	July	30, 1940—Vol. 25, No. 31
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Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Aug.	6, 1940—Vol. 25, No. 32
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Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
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Range Oil Burners and Space Heaters	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers	May	28, 1940—Vol. 25, No. 22

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are en-
titled to one copy of Form 7NO.

If they desire additional copies, for their own conven-
ience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals,
Room 1018, Municipal Building, Manhattan, at three cents
each—postage to be added if the forms are forwarded by
mail.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938, AND AMENDED MAY 17, 1940, EFFECTIVE JUNE 10, 1940.

[Cal. No. 1-38-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

SCOPE.

These rules are supplementary and additional to the requirements for Fusion Welding as permitted under C26-514.0 of the Administrative Code (8.6.2.2) reading:

Fusion welding may be substituted for, or used in combination with, riveting or bolting to connect or assemble the component parts of steel beams, girders, lintels, trusses, columns and other structural steel used in building construction if done under rigid inspection and specification, in accordance with the rules of the Board. These Rules shall also apply to gas cutting.

NOTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Application For Permits.

- 1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).
- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the Borough Superintendent. The Borough Superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.
- 2.2 BASE METAL. The metal upon which the weld or cut is made.
- 2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code. (1.149).
- 2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.
- 2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.
- 2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.
- 2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused sides. C26-158.0 of the Administrative Code (1.149).
- 2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.
- 2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).
- 2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code. (1.69).
- 2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.
- 2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.
- 2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.
- 2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.
- 2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.
- 2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.
- 2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).
- 2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.
- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Borough Superintendent of Housing and Buildings of the borough having jurisdiction.
- 2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

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- 2.21 **THROAT.** The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypotenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).
- 2.22 **UNDERCUT.** A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.
- 2.23 **VERTICAL WELD.** A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.
- 2.24 **WELD DIMENSIONS.** The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).
- 2.25 **WELD LENGTH.** Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

Rule 3. Design and Supervision.

- 3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).
- 3.2 **PERMISSIBLE UNIT STRESSES.**
In the design of welded structures or parts thereof the stress at every connection must be accurately calculated and the required amount and the exact type and location of weld and filler metal with respect to the parts joined be specified.
- 3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:
- | | |
|---|--------|
| Shear on section through the throat of a weld | 11,300 |
| Tension on section through the throat of a weld | 13,000 |
| Compression on section through the throat of a weld | 15,000 |
- Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).
- 3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.
- 3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.
- 3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.
- 3.3 **WORKING STRESSES FOR WINDLOADS.**
When the stress in any member due to wind is less than 33 1-3% of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased 33 1-3%, provided the section thus found is at least that required by the dead

and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

- 3.4 **WELDED GIRDERS.** In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).
- 3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, 1/6 of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.
- 3.6 **BEAMS.** The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.
- 3.7 **WELDED COLUMNS.** C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent, the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.
- 3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.
- 3.8 **WELDED BUTT JOINTS.** The edges of base metal parts, one-quarter inch or more in thickness, transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.
- Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than 1/16 inch nor more than 1/4 inch.
- Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and 12 1/2 percent on each side, for double "V" and double bevel butt welds. C26-520.0(f) of the Administrative Code (8.6.2.8.6).
- 3.9 **FILLET WELDS.** The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed 1/4 of the length for purposes of calculating strength under these rules.
- 3.10 **WELDS IN SLOTS OR HOLES.** When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the slot or hole, but the latter shall not be filled with

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weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than $1\frac{1}{2}$ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.

Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Borough Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Borough Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a

structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Borough Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

4.2.4 Renewal of a certificate may be made without additional requalification test if the applicant's record indicates satisfactory welding experience during the previous year.

4.2.5 Certificates for gas welding and certificates for electric welding, including provisions for welding performed by each welder for the current year, shall be on forms as approved by the Board of Standards and Appeals.

Rule 5. Qualification Test for Welders.

5.1 These qualifications tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Borough Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City shall be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4, each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and two in the overhead welding position.

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5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same general type of electrodes or welding rods as are to be used in the work for which the operator is being tested.

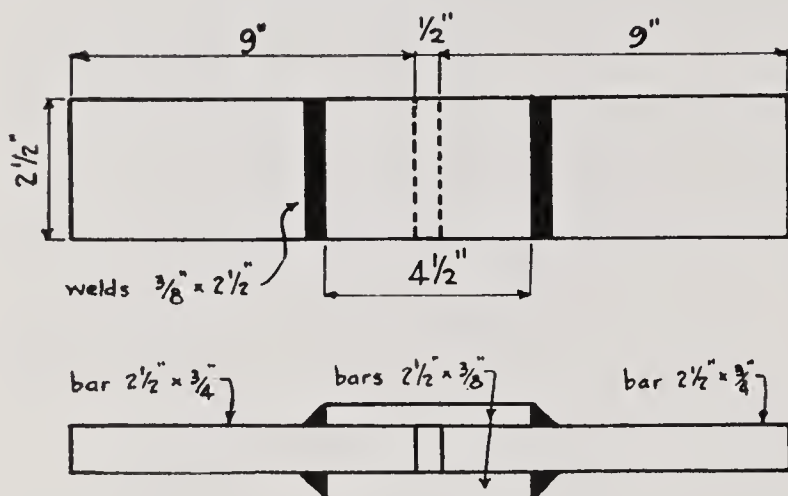


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed 3/8 in.

Rule 6. Quality of Welds.

The quality of welds permitted under these rules shall conform to the following requirements:

- 6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.
 - 6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.
 - 6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.
 - 6.1.3 All butt welds shall show good fusion without overlapping or undercutting.

6.2 **UNDERSIZE WELDS.** Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings

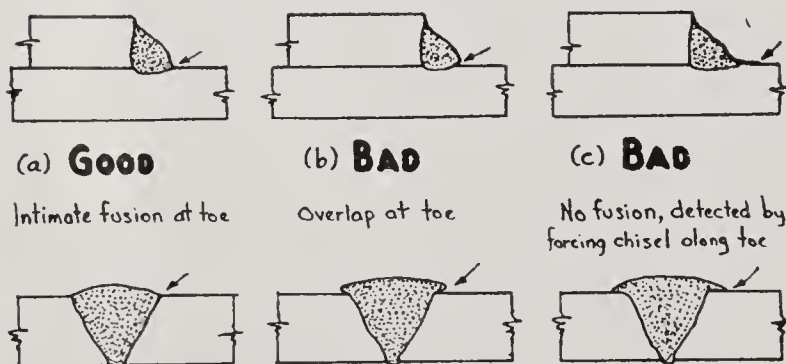


FIG. 3

and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.

6.3 Shape.

- 6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.
- 6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.
- 6.3.3 **INTERNAL QUALITY.** The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

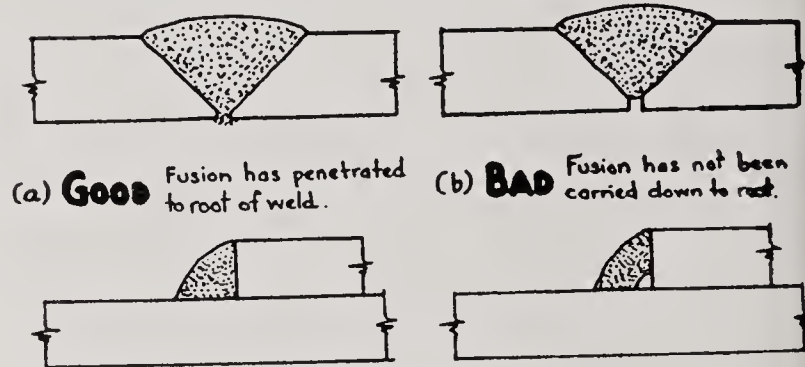


FIG. 4

6.3.4 **WELD ENDS.** The ends as well as the body of the welds shall conform to all the requirements of Rule 6

Rule 7. Specifications and Tests of Welding Materials.

- 7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.
- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the Borough Superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the Borough Superintendent as to their ability to produce satisfactory gas cuts.
 - 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.
- 8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).
 - 8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.
- 8.3 Gas cut edges shall be smooth and regular in contour.
- 8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.
- 8.5 Gas cutting to replace the milling of surfaces is prohibited.

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8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.

8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. To determine the net area of members so cut, one-eighth inch shall be deducted from gas cut edges.

Rule 9. Supervision and Inspection.

9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspection agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Borough Superintendent.

9.1.1 The Borough Superintendent may, in the case of minor welding operations, including stairs and fire escapes, waive the requirements for inspection by a testing agency or inspection agency, if in his judgment such inspection may be adequately made by an inspector of welding employed regularly in the Department of Housing and Buildings.

9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.

9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.

9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.

9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.

9.3 The contractor who is to do welding shall be approved by the Borough Superintendent. He shall submit to the Borough Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That each welder or group of welders shall be under the continual supervision of an experienced foreman.

That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.

That each welder shall be provided with proper gauges to check his work.

That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

That whenever deemed necessary by the Borough Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

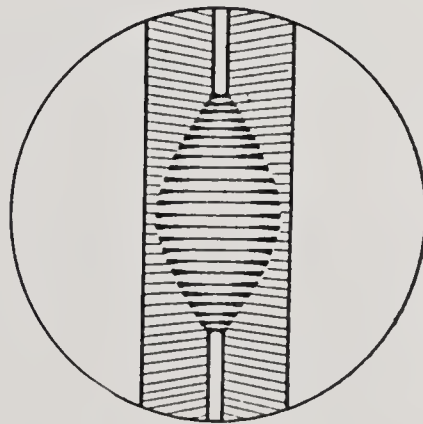
10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.

10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the Borough Superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.

The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.

10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.

Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-weld should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).



Section Through Tack-Weld

FIG. 19

10.4 Surfaces to be welded shall be free from mill scale, rust, paint or other foreign matter. A thin coat of linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may

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be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the Borough Superintendent. See 3.11.5.
- 10.6 In assembling and during welding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Borough Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

- 10.7 The welder shall be protected by adequate covering against high winds, rain, snow or sleet.

Where there is an accumulation of water, ice, or snow in the joint to be welded same shall be removed and the joint made dry before welding.

No welding shall be done where the prevailing atmospheric temperature is below 25 degrees Fahrenheit unless the base metal at the starting point of the weld shall be pre-heated, nor in any case where the prevailing atmospheric temperature is below zero.

Rule 11. Metal Chimneys, Tanks, Stairs and Fire-Escapes.

Metal Chimneys, Tanks, Stairs and Fire Escapes and all materials entering into their construction, when welded, shall conform to these Rules.

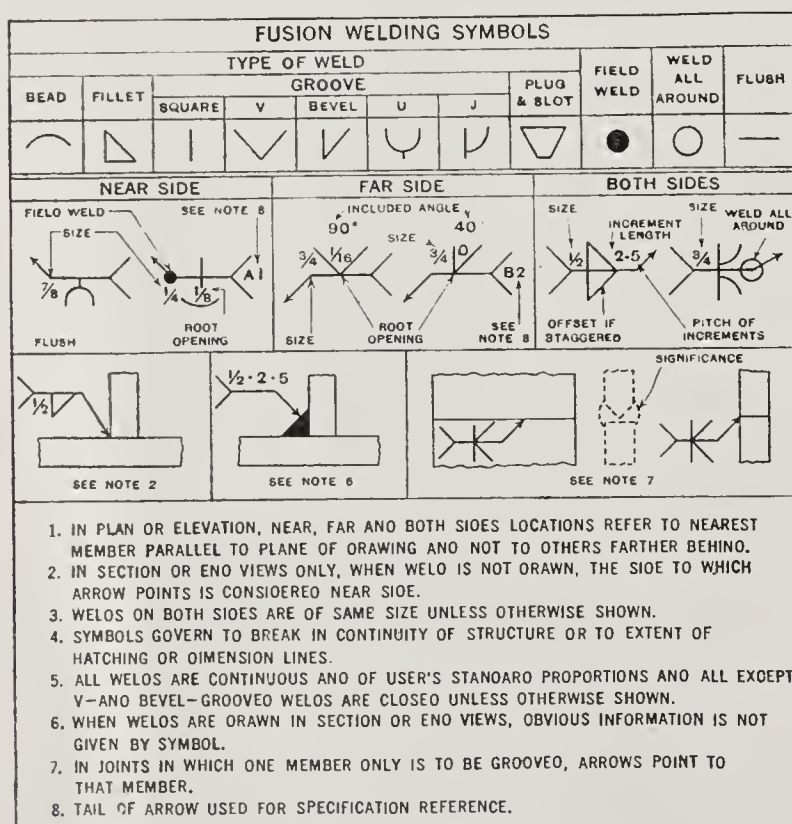
- 11.1 Stairs and fire-escapes shall be considered as light structural steel and where shop welded, shall have attached thereto a tag or label, affixed by the standard Testing Agency, to the effect that these Rules have been complied with.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the Borough Superintendent symbols for fusion welding and a method of showing them on drawings shall be as shown in figure 1.



NOTE: All dimensions in inches.

FIG. 1

II. Sizes, Chemical Composition and Tests of Filler Metal.

Standard sizes of filler metal are as follows: 1/16, 3/32, 1/8, 5/32, 3/16, 7/32, 1/4, 5/16 and 3/8 in. in diameter. In the case of coated or covered filler metal, the standard sizes refer to the diameter of the core wire.

TABLE 1.—TENSILE REQUIREMENTS FOR DEPOSITED METAL

Grade	Base Metal	Treatment of Welded Specimen ^a	All-Weld Tension Test	
			Tensile Strength, min., lb. per sq. in.	Elongation in 2 in., min., per cent
No. 2..	Firebox quality steel plate, tensile strength 55,000 lb. per sq. in., min.; or Steel for bridges, tensile strength 60,000 lb. per sq. in., min., with carbon not over 0.25 per cent and manganese not over 1.00 per cent., or equivalent steels.	stress-relieved non-stress-relieved	80 000 80 000	20½ 15½
No. 4..	same as for Grade No. 2	stress-relieved non-stress-relieved	75 000 75 000	20½ 15½
No. 10.	same as for Grade No. 2	stress-relieved non-stress-relieved	60 000 60 000	25 20
No. 15.	same as for Grade No. 2	stress-relieved non-stress-relieved	60 000 60 000	20 17
No. 20.	same as for Grade No. 2	stress-relieved non-stress-relieved	52 000 55 000	10 7
No. 30.	same as for Grade No. 2	stress-relieved non-stress-relieved	45 000 47 000	7 5
No. 40.	same as for Grade No. 2	stress-relieved non-stress-relieved	45 000 47 000	5 3

^a Stress-relieving where called for in these specifications is for the purpose of developing the fundamental properties of the weld metal unaltered by locked-up stress. Values obtained from stress-relieved welded specimens are about 5 per cent lower in tensile strength and 10 to 20 per cent higher in ductility than those of non-stress-

RULES

relieved specimens. The fact that a filler metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 1100 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent.....	0.04
Sulfur, max., per cent.....	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

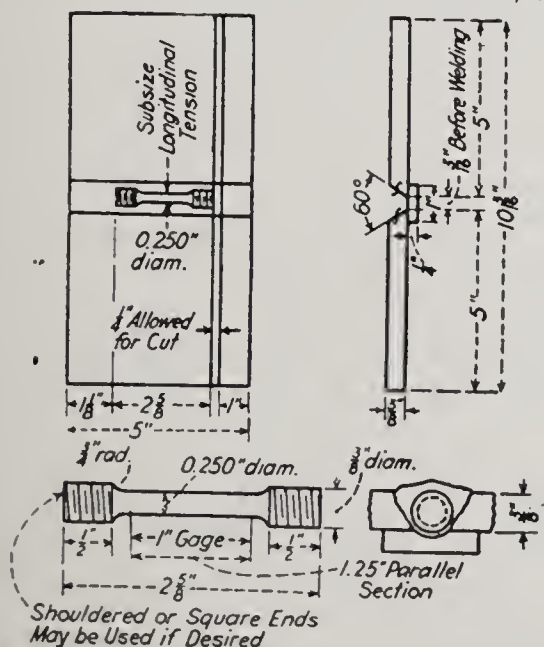
ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test).

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4



- NOTE 1.—The above plate shall be used for 1/8-inch filler metal.
 NOTE 2.—Welds shall be deposited in either layers or beads.
 NOTE 3.—Welds in vertical position shall be deposited upwards.
 NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for 1/8-in. Diameter Filler Metal and Method of Machining Specimen.

FIG. 5

in. in thickness shall be prepared as illustrated in Fig. 6 and the tension specimen prepared as shown.

Test plates shall be so supported that warping due to welding shall not throw the finished test plate out of line by an angle of over 5 deg. If plates are warped, they shall be straightened cold before being stress-relieved where required.

SPECIAL TESTS. The Borough Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

ELECTRODES FOR MANUAL WELDING. In the case of coated or covered electrodes for manual welding, about 1 in. of the electrode shall be bare or free from coating at the one end for making contact with the holder. The arc end shall be sufficiently bare to permit easy striking of the arc, but the length of the bare portion of the arc end, measured from the end to the point where the full cross-section of the coating obtains, shall not exceed one nominal diameter.

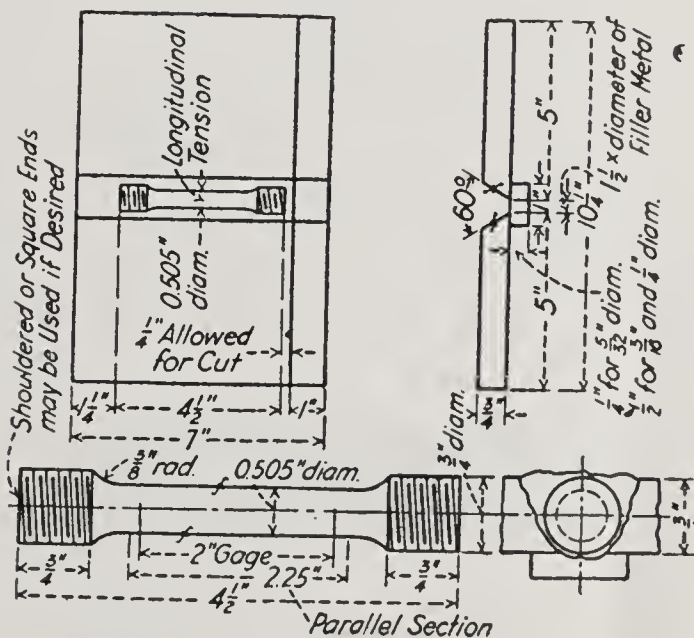
PREPARATION OF FILLER METAL.

Uncoated filler metal and the core of coated or covered filler metal shall be of uniform quality free from injurious segregation, oxides, pipe, seams or other irregularities.

On coated or covered filler metal, the coatings and coverings shall be such that they are not readily damaged by ordinary handling and shall be of commercially uniform thickness and shall present a workmanlike appearance. Coatings and coverings shall be free from injurious scabs, blisters, abnormal pockmarks, bruises or other surface defects.

The surface of gas-welding rods and bare electrodes shall be smooth and free from harmful scale, oil, or grease and shall be plain or copper finished, as specified.

Cross-sectional dimensions shall not vary from that specified by more than 3 per cent.



- NOTE 1.—The above plate shall be used for filler metal 5/32-in. in diameter and larger.
 NOTE 2.—Welds shall be deposited in either layers or beads.
 NOTE 3.—Welds in vertical position shall be deposited upwards.
 NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for Filler Metal 5/32-in. in Diameter and Larger and Method of Machining Specimen.

FIG. 6

REQUIREMENTS FOR ARC WELDS

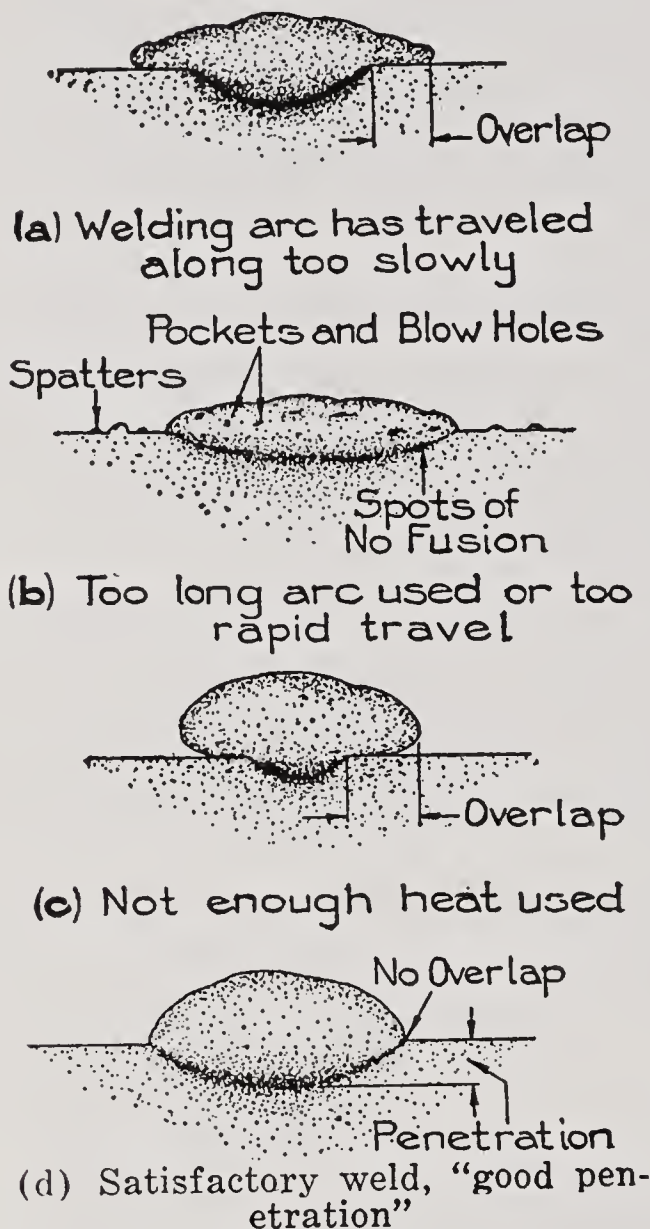
III. Bare and Lightly Coated Electrodes.

WELDING ARC. Unsound welds, insufficient penetration and overlap in general, resulting from improper arc

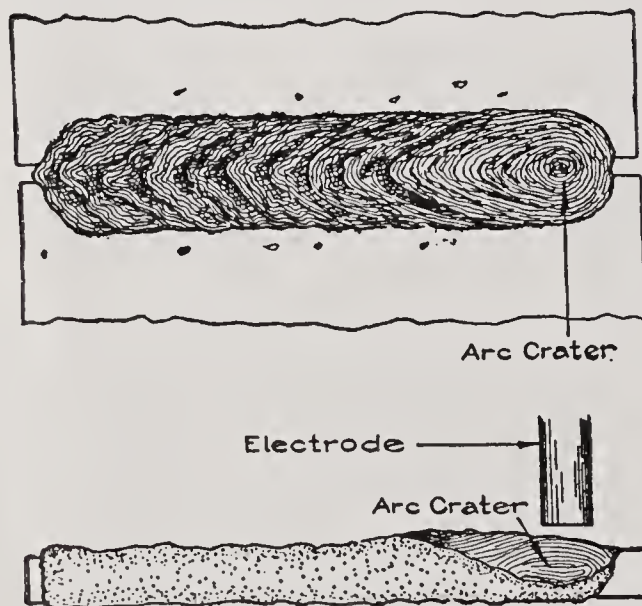
RULES

length and amount of current and incorrect rate of travel, are prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

FIG. 7



DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a 3/8-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

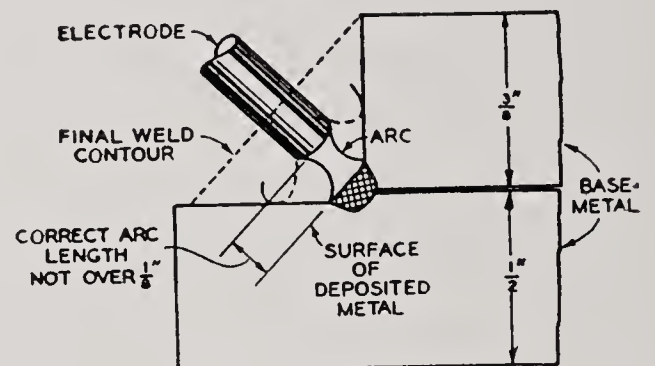


FIG. 9

one-half second between explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Borough Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
1/4	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
3/8	1	
1/2	2	
5/8	2	
3/4	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about 1/4 in. to 3/8 in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

RULES

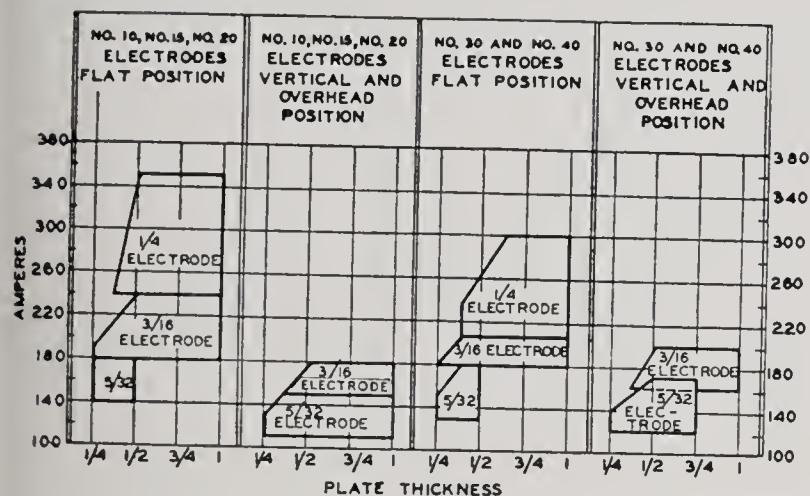
made with an electrode small enough to get thorough penetration at the root zone.

Each layer shall be thoroughly cleaned by brushing or chipping to remove all excess scale and oxides before depositing succeeding layers. The surface of each layer shall be reasonably smooth and uniform in contour.

IV. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heavily coated electrodes the procedure recommended by the manufacturer of the electrodes being used shall be followed, but if such instructions are not available, the procedures given below shall be followed.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metal to be joined. The current ranges in Fig. 10 are given as a guide in selecting the best operating conditions for various electrode sizes and plate thicknesses for flat, vertical and overhead welding. In special cases, other approved sizes and amounts of current may be specified. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.



Current Values and Sizes of Heavily Coated Electrodes for Various Plate Thicknesses for Manually Welded Operations.

FIG. 10

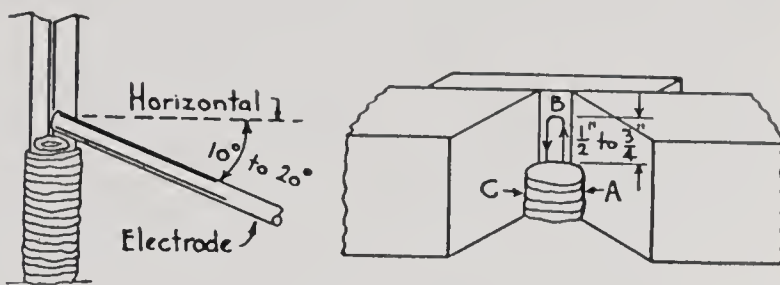
WELDING PROCEDURE FOR FLAT BUTT WELDS. In making butt welds on bevel joints, weave the electrode from one side of the joint to the other. This weaving may not be necessary on the first pass. These oscillations shall be regulated so that the weld metal fuses into the side walls without directing the arc against the walls. This shall be accomplished by pointing the electrode downward and allowing the outer edges of the arc to play lightly on the walls. A stay shall be made long enough on the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness of the layer per pass to not more than 1/8 in.

WELDING PROCEDURE FOR VERTICAL AND OVERHEAD BUTT WELDS. One-eighth (1/8)-in. and 5/32-in. diameter electrodes should be used in the vertical and overhead welding positions, but the 3/16-in. diameter may be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The first pass should be started by oscillating or weaving the electrode from side to side (Fig. 11A) to produce a weld metal bridge across the "V." Then the arc is to be moved rapidly upward for 1/2 to 3/4 in. along the bottom of the "V" (Fig. 11B), drawing a long arc (about 30 volts), and then back down to the crater again (Fig. 11C), shortening the arc to its previous length. The movement up and down should require about 1/3 sec. and should be easily accomplished with a bending action of the wrist. Its purpose is

to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

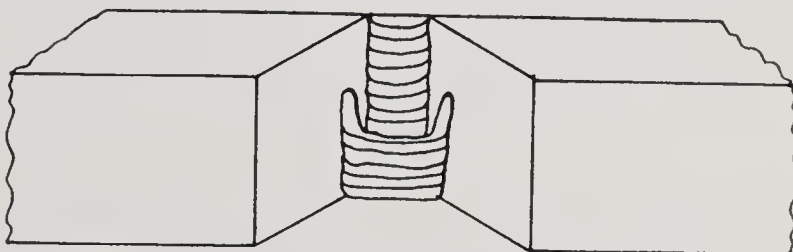


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a 1/4-in. fillet weld. On succeeding passes, the thickness shall not exceed 1/8 or 5/32 in. The successive passes shall be made by this up and down technique or by successive horizontal weaving.

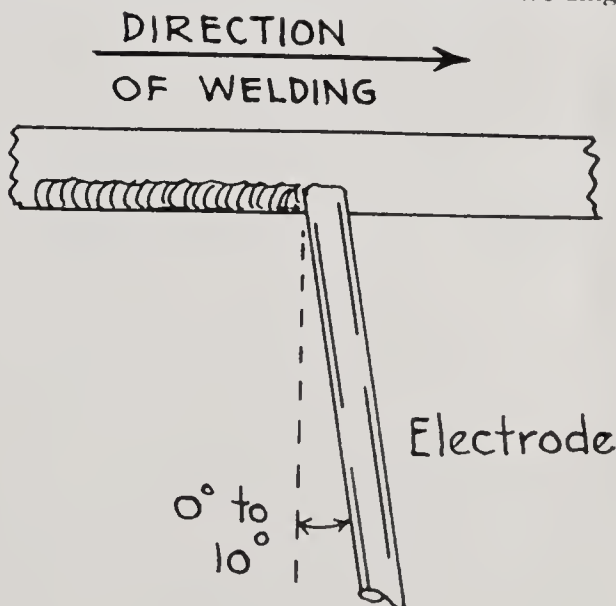
If, in making the second and succeeding passes, a procedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then upward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The electrode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



Overhead Butt Weld.

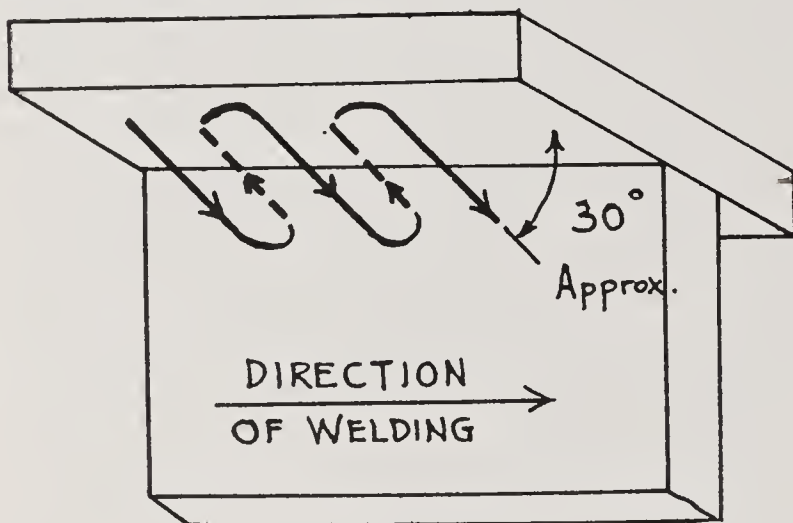
FIG. 13

RULES

WELDING PROCEDURE FOR FLAT AND OVER-HEAD FILLET WELDS. For light fillet welds ($\frac{1}{4}$ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds ($\frac{3}{8}$ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about $\frac{1}{3}$ sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds insizes up to $\frac{3}{8}$ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

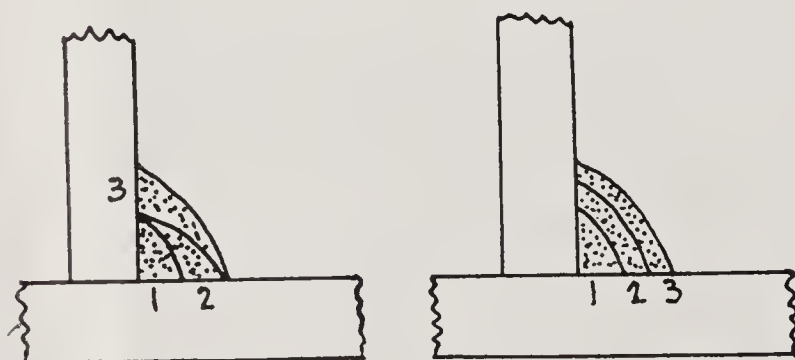


Overhead Fillet Weld.

FIG. 14

requires more than one layer, the second and subsequent layers shall be deposited as a complete spread over the previously deposited metal or in two or more parts as shown in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

V. Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or multiple flame. The adjustment of the welding flame shall be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regulated for varying thicknesses of base metal so that the proper amount of heat and flame condition is obtained to

properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

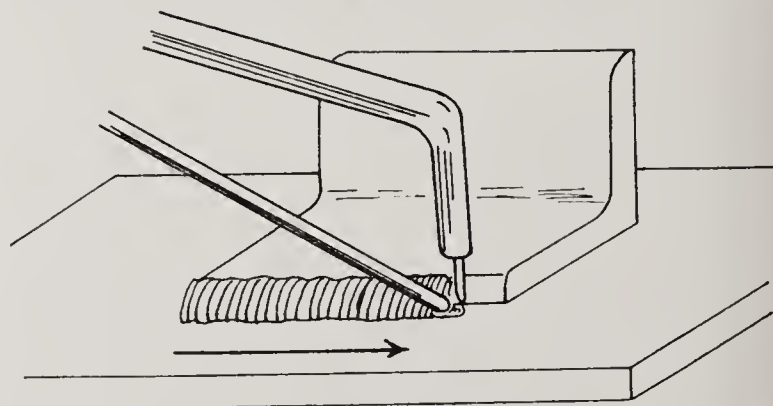
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

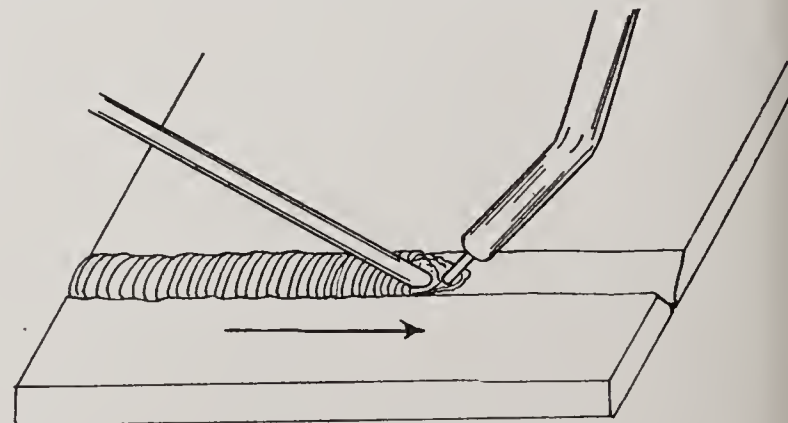
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be $\frac{1}{32}$ in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

Positions of Rod and Flame in Backhand Technique. Arrow indicates direction of welding.

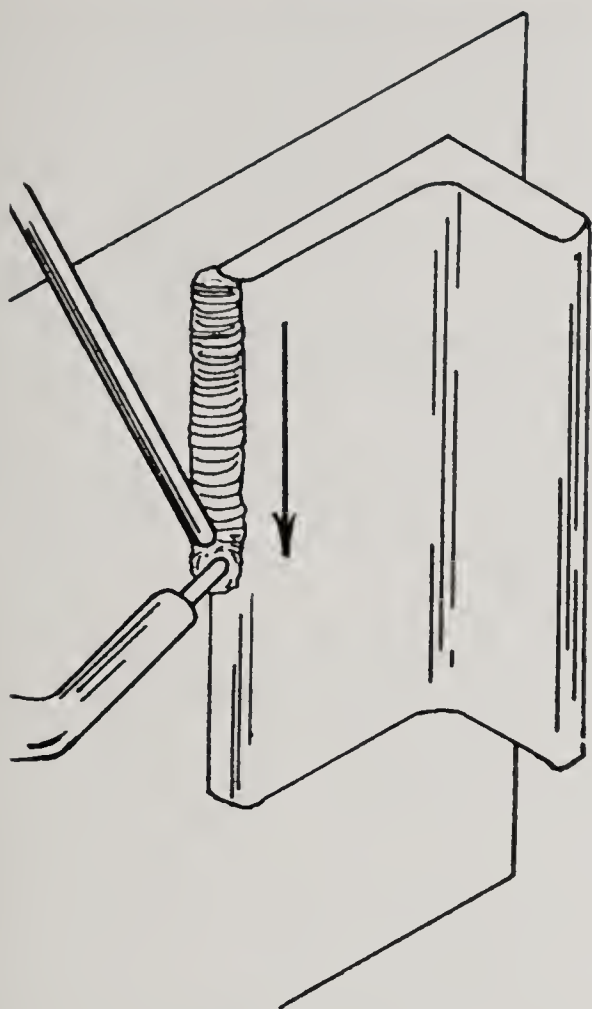


Fillet Weld—Flat Position.

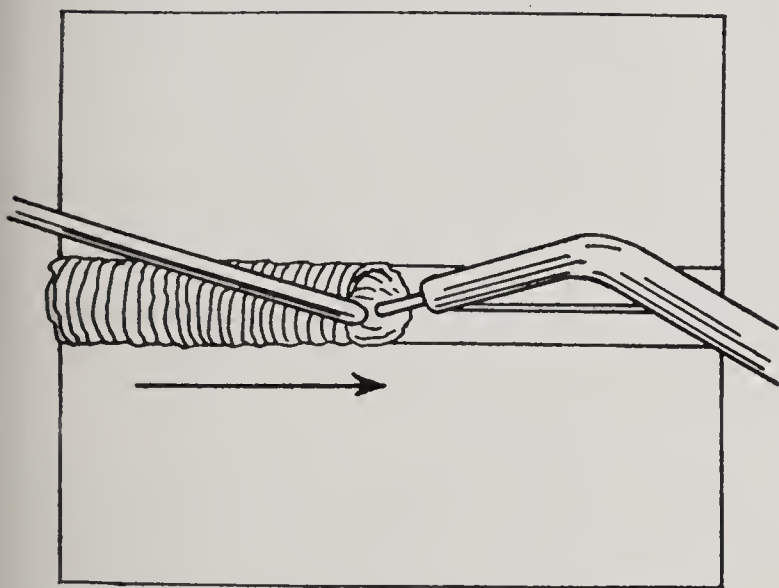


Butt Weld—Flat Position.

RULES



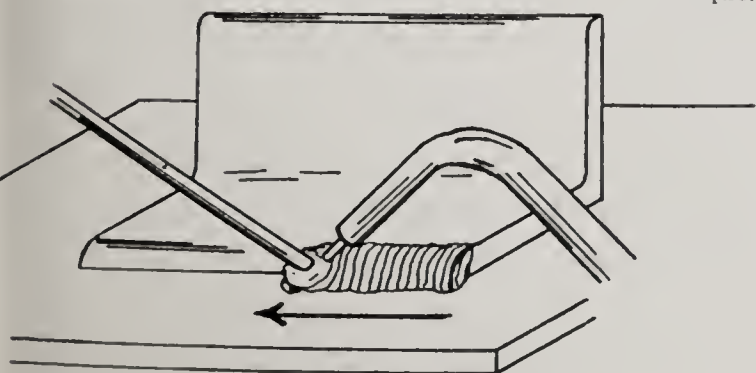
Fillet or Butt Weld—Vertical Position.



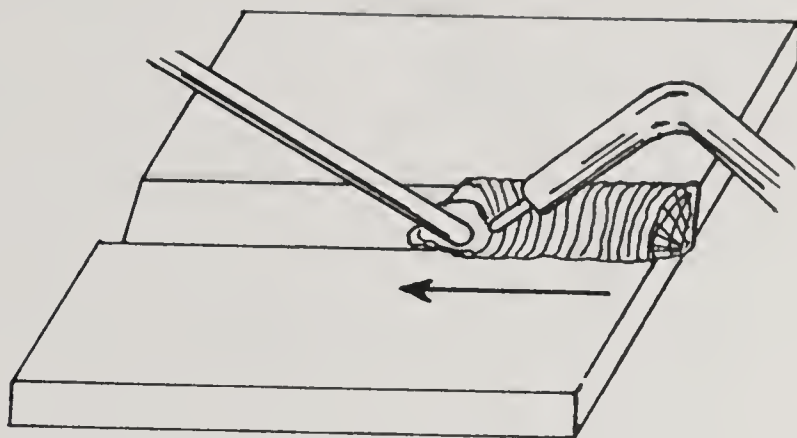
Fillet or Butt Weld—Horizontal Position

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

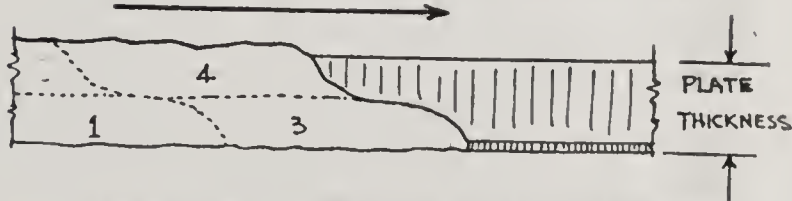
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds $1/6$ in., it is allowable to weld the bottom of the vee together in a separate operation, $1/2$ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

"Step" Method of Multi-Layer Welding.

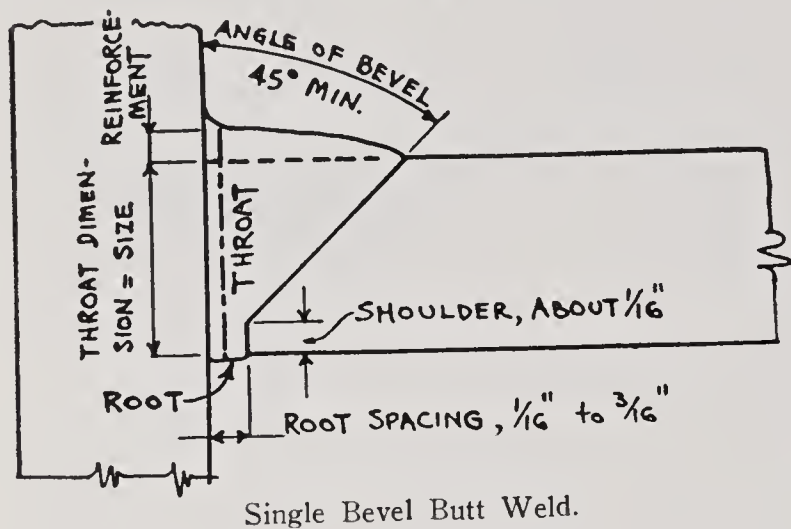


Sequence of "Step" Welds Shown by Numbers.

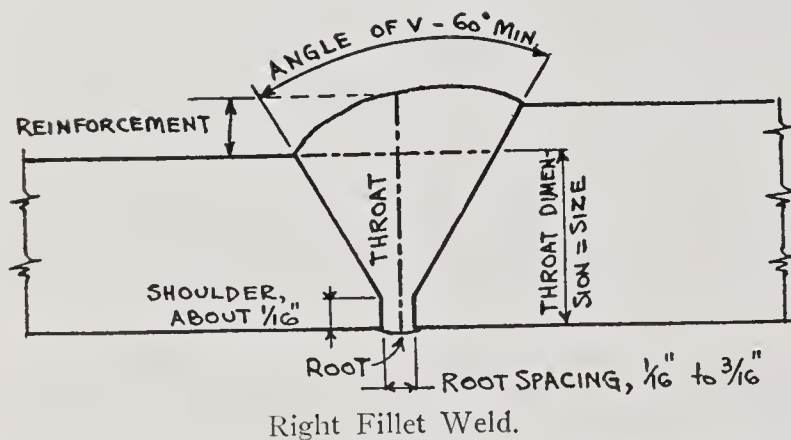
VI. Illustrations of Butt and Fillet Welds.

RULES

FIG. 20

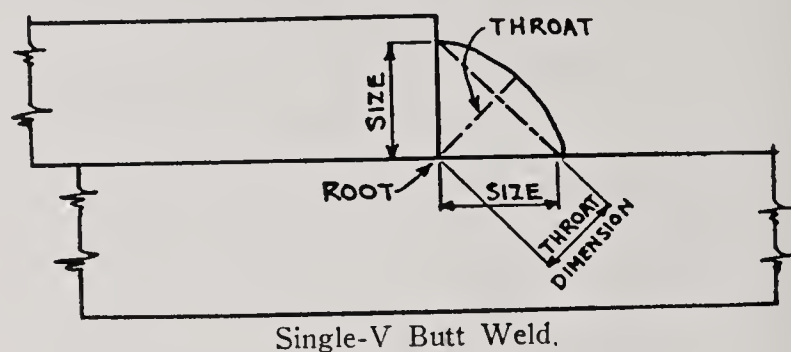


Single Bevel Butt Weld.

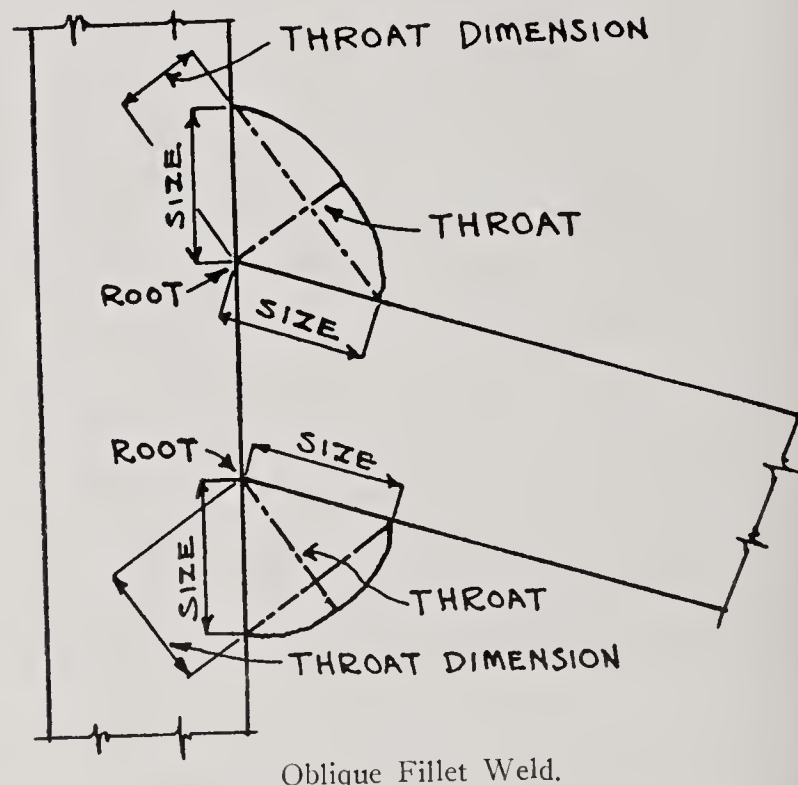


Right Fillet Weld.

FIG. 21



Single-V Butt Weld.



Oblique Fillet Weld.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTING ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

3.05
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building,
New York City.

Vol. XXV	Subscription \$2.50 a year	AUGUST 27, 1940	Single Copies, 5 cents By Mail, 8 cents	No. 35
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains in the order given—

ocket.

ules Directory.

ules for the Manufacture, Testing and Use of Concrete
Masonry Units.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to August 27, 1940.

Cal. No. Department. Premises Affected.

863-40-SM.....Safe-T-Metal Company Abrasive
Surfaced Metal Castings,
manufactured by Safe-T-Metal
Company, Material.

864-40-A.....H.B.B.....511 Bedford avenue, east side, 10
ft. south of Taylor street
(Block No. 2177, Lot No. 8),
Borough of Brooklyn,
Decision—re Alt. 5458-38.

865-40-BZ....H.B.B.....368-378 Kings highway, south-
west corner of West Third
street (Block No. 6653, Lot
Nos. 34, 38, 43 and 44), Bor-
ough of Brooklyn,
D.C. Applic. 1218-40.

866-40-A.....F.D.....Transportation of fuel oil in
three (3) compartment tank
on Tractor Trailer Unit (oil
not in conformity with Fire
Department specifications gov-
erning tank trucks) in New
York City, Decision.

867-40-A.....H.B.Q.....46-03, 46-07, 46-11, 46-15, 46-19,
46-23, 46-27, 46-31, 46-35, 46-
39, 46-43, 46-47 and 46-51
192nd street, southeast corner
of 46th avenue, northeast cor-
ner of 47th avenue and east
side of 192nd street, 40 ft., 80
ft., 120 ft., 160 ft., 200 ft., 240
ft., 280 ft., 320 ft., 360 ft., 400
ft. and 440 ft. south of 46th
avenue (Block No. 5548, Lot
No. 1), Flushing, Borough of
Queens,
N.B. 5632-40 to N.B. 5637-40,
inclusive, and N.B. 5181-40
to N.B. 5187-40, inclusive.

868-40-A.....H.B.Q.....45-35, 45-39, 45-43, 45-47, 45-51,
45-55, 45-59, 45-63 and 45-67
192nd street, northeast corner
of 46th avenue and east side of
192nd street, 40 ft., 80 ft., 120
ft., 160 ft., 200 ft., 240 ft., 280
ft. and 320 ft. north of 46th
avenue (Block No. 5534, Lot
No. 135), Flushing, Borough
of Queens,
N.B. 5638-40 to N.B. 5646-40,
inclusive.

869-40-A.....H.B.Q.....46-28, 46-32, 46-36, 46-40 and
46-46 192nd street, southwest

corner of 46th road, northwest
corner of Hollis Court boulev-
ard, 189-46 and 189-50 46th
road, south side, 100 ft. and
140 ft. west of 192nd street
(Block No. 5533, Lot No. 13),
Flushing, Borough of Queens,
N.B. 5188-40 to N.B. 5192-40,
inclusive, N.B. 5656-40 and
N.B. 5657-40.

870-40-A.....H.B.Q.....46-04, 46-08, 46-12, 46-16 and
46-20 192nd street, northwest
corner of 46th road, southwest
corner of 46th avenue and
west side of 192nd street, 40
ft., 80 ft. and 120 ft. south of
46th avenue (Block No. 5532,
part of Lot No. 28), Flushing,
Borough of Queens,
N.B. 5649-40 to N.B. 5653-40,
inclusive.

871-40-A.....H.B.Q.....45-66 and 45-70 192nd street,
northwest corner of 46th ave-
nue and west side of 192nd
street, 40 ft. north of 46th
avenue (Block No. 5531, Lot
No. 50), Flushing, Borough
of Queens,
N.B. 5647-40 and
N.B. 5648-40.

872-40-A.....H.B.B.....385 Myrtle avenue, north side,
50 ft. east of Clermont avenue
(Block No. 2046, Lot No.
94), Borough of Brooklyn,
Alt. 3457-40.

873-40-SM.....Will and Company Hollow Ce-
ment Blocks, size 8 in. x 8 in.
x 16 in., manufactured by Will
and Company, Material.

874-40-A.....H.B.Q.....80-03 and 80-07 189th street,
southeast corner of Union
Turnpike and east side of
189th street, 40 ft. south of
Union Turnpike (Block No.
7267, Lot No. 1), Flushing,
Borough of Queens,
N.B. 5242-40 and
N.B. 5243-40.

875-40-A.....H.B.Q.....47-06 and 47-14 Fresh Meadow
lane, northwest corner of
Auburndale lane (Block No.
5579, Lot No. 1), Flushing,
Borough of Queens,
N.B. 4139-40 and
N.B. 4140-40.

CALENDAR

876-40-A.....F.D.....5073-5075 Broadway, west side,
238.64 ft. south of West 218th
street (Block No. 2243, Lot
No. 266), Borough of Man-
hattan, 23200-L.C.

877-40-SM.....Silicair Acoustical Units, manu-
factured by Western Silicair
Products Company, Material.

878-40-A.....H.B.Q.....108-29 Queens boulevard and
109-01 to 109-07 71st road,
northwest corner (Block No.
2224, Lot No. 1), Forest
Hills, Borough of Queens,
Alt. 1820-40 and Misc.
Applic. 7571-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Aug. 6, 1940—Vol. 25, No. 32
Carbon Dioxide Liquefier Rules	July 30, 1940—Vol. 25, No. 31
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Aug. 27, 1940—Vol. 25, No. 35
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31

Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
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Vacuum Breakers	May 28, 1940—Vol. 25, No. 22

WARNING

Notice is hereby given to all appellants and applicants,
and to all lawyers, architects and engineers representing
owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by rep-
resentative at the hearing of their case, dismissal for lack
of prosecution is likely to result.

Second, That due and ample notice of the date set for
hearing is provided in the publication in this BULLETIN of
the calendars of the Board, each case being set down by
Calendar Number and the premises under the date of the
hearing.

Third, That no plea of ignorance of the date of the
hearing can be entertained in view of this publication and
of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the
calendars in the daily press.

Fourth, That no one is entitled to written notice of the
date for the hearing in his case, and that the plea of failure
to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all
cases promptly; therefore, no appeal or application will
be held in abeyance by reason of failure of the appellant
or applicant to file necessary data, or by any other method
of delay.

Sixth, That no appeal or application will be accepted for
filing unless, at the time of filing, all papers, plans and data
required by law are supplied, as specified on the blank
appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are en-
titled to one copy of Form 7NO.

If they desire additional copies, for their own conveni-
ence in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals,
Room 1018, Municipal Building, Manhattan, at three cents
each—postage to be added if the forms are forwarded by
mail.

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at
the Distribution Division of the City Record Office, Room
2213, Municipal Building, Manhattan. Price 50c; by mail 54c.
Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and
Buildings on Fire Retarding, Fire Escapes, Fire Stairs and
Fire Towers are now on sale at the Distribution Division
of the City Record Office, Room 2213, Municipal Building,
Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR THE MANUFACTURE, TESTING AND USE OF CONCRETE MASONRY UNITS ADOPTED BY THE BOARD OF STANDARDS AND APPEALS AUGUST 2, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(639-40-SR)

SCOPE:

These rules shall apply only to concrete hollow or solid masonry blocks or tiles irrespective of use, size, shape and aggregates used in their manufacture, so as to obtain the quality of material intended within the scope of C26-309.0 (7.1.1.4), C26-412.0 (8.4.1), as further supplemented by these rules.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, paragraph a, (2.2.1.1.) a, and C26-305.0 (7.1.1.), and C26-412.0 (8.4.1).

NOTE—References given herein preceded by C26- refer to specific sections of the Administrative Building Code.

1.0 DEFINITIONS.

1.1. Aggregate—The term "aggregate" shall mean inert material which is mixed with cement and water to produce concrete, consisting, in general of sand, pebbles, gravel, cinders, crushed stones, blast furnace slag, burnt shale or clay, or similar materials. Section C26-10.0a (1.2). Dense aggregates, such as sand, pebbles, crushed stones and crushed slag, shall be sound and durable and free from excessive amounts of dust, soft or flaky particles, or shale or other deleterious material. Concrete (block) Product aggregates shall consist of natural sands and gravels, crushed rock, or blast furnace slag, burnt shale, or clay, or other inert materials having clean uncoated grains of strong and durable minerals. It shall be unlawful to use aggregates containing soft, friable, thin, flaky, elongated or laminated particles in excess of three percent, or containing shale in excess of one and one-half percent, or silt and crusher dust finer than the No. 100 standard sieve in excess of two percent. When all three groups of such deleterious materials are present in the aggregates, the combined amounts shall be less than five percent of the combined aggregate. These percentages shall be based on the weight of the combined aggregate as used in the concrete. The maximum size of the aggregate is the clear space between the sides of the smallest square opening through which eighty-five percent by weight of the coarse aggregate can be passed. See C26-315.0 (7.1.2.1). All aggregates shall be free from frost or lumps of frozen material. Where stationary aggregate bins are provided, a coil of steam pipe shall be arranged around the outlet of the bin so that the aggregates can be heated to remove frost and frozen lumps. To facilitate proportioning between fine and coarse aggregates, they shall be separately stored.

1.1.1 Fine Aggregate—All fine aggregate except sand as defined in 1.18 shall be considered as material passing a screen with four meshes per linear inch and shall have at least 15 percent retained on a number 8 screen and consisting of particles one quarter of an inch or less in size. See C26-10.0b (1.2).

1.1.2 Coarse Aggregate—shall be considered as material retained on a screen having four meshes per linear inch, the maximum size shall not exceed $\frac{1}{3}$ the thickness of the thinnest web of any concrete masonry unit when load bearing and $\frac{1}{2}$ the thickness when non-load bearing.

1.2 Blast Furnace Slag—The term "blast furnace slag" shall mean the non-metallic product, consisting essentially of silicates and aluminosilicates of lime, which is developed simultaneously with iron in a blast furnace. C26-24.0 (1.15).

1.3 Cement—Cement for use under these rules shall include only those Portland Cements, or High Early Strength Portland Cements as are approved by the Board. See C26-312.0, c (7.1.1.7.1).

1.4 Cinders—Cinders may contain a maximum of thirty-five percent by weight of unconsumed carbon and a maximum of one-half percent by weight of sulphur. Section C26-309.0 (7.1.1.4). Such cinders shall be of uniform quality, free from dirt, excessive dust, or other injurious or extraneous matter.

1.5 Concrete Brick—Concrete brick shall consist of a structural unit, usually solid, of a size approximately 8 in. x 3 $\frac{3}{4}$ in. x 2 $\frac{1}{4}$ in., except as provided in Rule 6.1.4 with net cross-sectional area at least 75 percent of the gross area. It shall consist of a mixture of Portland Cement and other aggregates to produce a material to meet the strength requirements of Subdivision "a" of Section C-26-307 or C-26-359.0. See C-26-26.0 (1.1.7).

1.6 Concrete Block Products—The term "concrete block products" shall mean bricks, blocks or other units made of cement, aggregates, and water. C26-39.0 (1.30).

1.7 Crushed Stone—The term "crushed stone" shall mean bedded rock or boulders, broken by mechanical means into fragments of varying shapes and sizes. C26-44.0 (1.35).

1.8 Faced Wall—The term "faced wall" shall mean a wall faced with masonry in which the facing and backing are so bonded, or so bonded and anchored, with masonry as to exert common action under load. C26-62.0 (1.5.4).

1.9 Filler Blocks—Filler blocks of concrete masonry units when permanently set in a ribbed floor system, may have structural properties in accordance with the limitations as provided in C26-476.0 (8.5.8) and Rule 9.3.2.

1.10 Gravel—The term "gravel" shall mean rounded particles, larger than sand grains, resulting from the natural disintegration of rocks. C26-79.0 (1.71).

1.11 Hollow Unit—The term "hollow unit" shall mean any masonry unit whose net cross-sectional area is less than seventy-five percent of its gross cross-sectional area in any plane, measured in the same plane. C26-83.0 (1.75) (as laid in the wall).

1.12 Hollow Masonry—The term "hollow masonry" shall mean masonry consisting wholly or in part of hollow units meeting the strength requirements of sections C26-308.0, C26-309.0, and C26-310.0, and in which the units are laid contiguously with the joints filled with mortar. C26-84.0 (1.76).

1.13 Hollow Wall—The term "hollow wall" shall mean a wall built of solid masonry units so arranged as to provide an air space within the wall. C26-85.0 (1.77).

1.14 Masonry—The term "masonry" shall mean stone, brick, concrete, hollow tile, concrete block or tile, or other similar building units, or materials or a combination of them, bonded together with mortar. C26-93.0 (1.85).

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1.15 Non-Bearing Wall—The term "non-bearing wall" shall mean any wall which carries no load other than its own weight. C26-98.0 (1.90).

1.16 Partition—The term "partition" shall mean a non-bearing interior wall one story or less in height. C26-108.0 (1.101).

1.17 Plaster—The term "plaster" shall mean gypsum or Portland cement plaster. Unless otherwise provided, plaster shall be $\frac{1}{2}$ in. of Portland cement plaster consisting of one part Portland cement, three parts sand and 10% lime putty or $\frac{1}{2}$ in. of gypsum plaster consisting of a scratch and brown coat of plaster or gypsum plaster, mixed in proportion of one part gypsum plaster to three parts sand by weight and finished with $\frac{1}{8}$ in. white coat of lime putty or other approved finishing material.

1.18 Sand—The term "sand" shall mean small grains one-quarter of an inch or less in size resulting from the natural disintegration of rocks. C26-131.0 (1.126). Sand shall be clean, sharp, coarse and siliceous, free from salt, lime, clay or other foreign materials. C26-312.0 (7.1.1.7.5).

1.19 Solid Masonry—The term "solid masonry" shall mean masonry consisting of stone, brick, sand-lime or concrete brick, or other solid masonry units, or a combination of these materials, laid contiguously with the spaces between the units filled with mortar, or monolithic concrete. Section C26-136.0 (1.131).

1.20 Solid Structural Unit—The term "solid structural unit" shall mean a building unit having a gross volume at least fifty percent greater than a brick, with a net cross-sectional area in any plane at least seventy-five percent of the gross cross-sectional area measured in the same plane. C26-137.0 (1.132) (as laid in the wall).

1.21 Veneered Wall—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability. C26-157.0 (1.148). Also see Rule 9.1.5.2.

1.22 Water—Water shall be clean, free from all organic materials, strong acids or alkalis, or shall be the water used in the city for drinking purposes. C26-312.0 (7.1.1.7.6).

1.23 Water-Cement Ratio—The term "water-cement ratio" shall mean the total quantity of water entering the mixture, including the surface water carried by the aggregate, expressed in terms of the quantity of cement. The water-cement ratio shall be expressed in United States gallons per ninety-four pound sack of cement. C26-160.0 (1.152).

2.0 CONCRETE (BLOCK) PRODUCT MATERIALS AND WORKMANSHIP.

2.1 Materials—The materials used in the manufacture of concrete block products shall consist of approved Portland Cement or high early strength Portland Cement, mixed with such aggregates as sand, crushed stone, gravel, clean cinders, processed blast furnace slag and burned clay or shale. These materials shall be mixed in such proportions with the proper water cement ratio and so cured that the finished product shall be suitable to the requirements of the specific uses for which approval is sought.

2.2 Fixing of Batches—Batching of all materials shall be by either volume or by weight.

2.3 Water Cement Ratio—The water cement ratio when once determined for any type of concrete masonry unit shall be maintained throughout the manufacture of that particular unit. Corrections shall be made for the water content of the aggregate and

a continuous record of the amount of water added per batch with an estimated allowance for the surface water within the aggregate, shall be kept and made available for inspection during working hours.

2.4 Proportions—The aggregate and the cement shall be proportioned in such a manner that the finished product will meet the quality and strength specifications contained in these rules. The maximum proportions of coarse aggregate, however, shall not exceed sixty percent of the total aggregate as defined herein.

2.5 Quality of Cement (Block) Products—The finished product shall be within the sizes as listed herein, free from cracks and other defects affecting the use and strength of the units and shall be sound in every respect.

2.5.1 The finished product shall have surface texture, color and size suitable to the requirements of its proposed usage.

3.0 SIZES OF CONCRETE (BLOCK) PRODUCTS

3.1 Height—The height of hollow or solid concrete (block) products for load bearing walls shall not be more than 8 inches. The height of hollow or solid concrete block products for non-load bearing walls shall not be more than 12 inches.

3.2 Thickness—The thickness or width of hollow or solid concrete (block) products for load bearing walls and partitions shall not be less than 4 inches. For non-load walls and bearing partitions, such thickness shall be not less than 3 inches. Units used in furring shall not be less than 2 inches split, 2 inches or 3 inches hollow.

3.3 Length—The length of hollow or solid concrete (block) products shall be not more than 18 inches, except in non-load bearing partitions such units may be not more than 24 inches in length.

3.4 Tolerance—A tolerance of plus or minus $\frac{1}{4}$ inch shall be permitted on all concrete (block) products, except in the thickness of the web and shells where the tolerance shall be $\frac{1}{16}$ inch.

3.5 Header Units—Header units for use with brick or stone masonry making a composite wall, shall not exceed three times the facing unit in height, with a maximum length of 18 inches with cutouts arranged to allow 4 inches of masonry bonding of the facing unit.

3.6.0 Fire Resistive Ratings—Concrete (block) products shall consist of area and thickness of webs and shells for specific uses, as follows:

3.6.1 Fire Walls—Concrete (block) products used as fire walls requiring a fire resistive rating of four hours, shall meet the following requirements:

1. Solid structural units 8 inches thick.
2. Solid cinder concrete blocks 8 inches thick.
3. Solid cinder concrete blocks 6 inches thick plastered on both sides.
4. Hollow concrete blocks (one piece) 12 inches thick with webs and shells at least $1\frac{1}{2}$ inches thick and at least 2 cells in wall thickness.
5. Hollow concrete blocks (one piece) 8 inches thick plastered on both sides, shells of which are at least $1\frac{1}{2}$ inches thick.
6. Hollow concrete block 4 inches in thickness having webs $\frac{7}{8}$ inch and shells

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1 inch when used as a backup with brick at least $3\frac{3}{4}$ inches in width, or limestone or terra cotta with $\frac{1}{2}$ inch of plaster on the concrete block side.

7. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-631.0 (10.4.1.1).

3.6.2. Fire Partitions—Concrete block products for use in fire partitions and shaft enclosures requiring a fire resistive rating of three hours shall meet the following requirements:

1. Solid brick, solid structural units 8 inches thick.
2. Solid cinder blocks, 6 inches thick.
3. Hollow concrete block, 8 inches thick, provided calcareous, burnt clay or cinder aggregates are used and the shells are at least $1\frac{1}{2}$ inches thick, if unplastered and at least $1\frac{1}{4}$ inches thick if plastered.
4. Hollow cinder block 6 inches thick with webs and shells at least $1\frac{1}{2}$ inch thick, plastered on one side.
5. Hollow cinder block 4 inches thick having webs $\frac{7}{8}$ inch and shells $1\frac{5}{16}$ inches plastered on both sides, with at least $\frac{1}{2}$ inch plaster.
6. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-633.0 (10.4.2.1).

3.6.3 Stairway Enclosures and Other Places Requiring Fire Resistive Rating of Two Hours—Concrete block products for these uses shall meet the following specifications:

1. Solid brick or solid structural units 8" thick.
2. Solid cinder block 4" thick.
3. Solid cinder block 3" thick plastered on both sides.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-635.0 (10.4.2.3).

3.6.4 Fireproof Partitions—Concrete block for use in fireproof partitions requiring a one-hour fire resistive rating, shall meet the following specifications:

1. Solid or hollow brick or solid concrete block 4" thick.
2. Solid cinder block 3" thick.
3. Hollow concrete block 3" thick having $\frac{7}{8}$ " web and 1" shell plastered on both sides with $\frac{1}{2}$ " plaster.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating.

3.6.5 Protection of Structural Steel—Concrete brick, block or tile, except cinder concrete units may be used in thicknesses and for ratings as follows:

$2\frac{1}{4}$ "	1 Hour
$2\frac{1}{4}$ "	2 Hour
$3\frac{3}{4}$ "	3 Hour
$3\frac{3}{4}$ "	4 Hour

Hollow or solid cinder concrete block and tile having a compressive strength of at least 700 p.s.i. of gross area may be used in thickness and ratings as follows:

$1\frac{1}{2}$ "	1 Hour
2 "	2 Hour

2 "
2½"

3 Hour
4 Hour

See C26-309.0.2d. (7.1.1.4) and Rule 5.1.d. C26-575.0 (10.1.4).

Wherever the fire resistive rating is 3 Hours or more, voids between steel and concrete masonry units shall be filled with mortar.

3.6.6 Fire Resistive Rating of Other Materials—Concrete (block) products of materials other than sand, crushed stone, gravel or cinders, shall be required to furnish test data, in accordance with the requirements of C26-571.0 (10.1.1) for the fire resistive rating sought.

4.0 MANUFACTURE OF CONCRETE BLOCK PRODUCTS—

4.1 Proportioning of Aggregates—

4.1.1 Proportioning of aggregate shall be by weight or volume. When the correct mixture is ascertained, the equipment shall be set in such a manner as to insure the batching of the materials in the correct proportions.

4.1.2 Batching of Cement—Cement shall be batched in bags weighing 94 lbs. When cement in bulk is used, because of its tendency to fluff, it shall be weighed and the batch fixed to correspond with the required amount of fluffed bulk cement.

4.1.3 Consistency—Concrete block units made from dense aggregates on tamp or pressure machines shall be mixed as wet as practicable and still preventing sagging or distortion. Concrete made on vibrating or jolting machines shall be mixed as dry as practicable so as to completely fill the molds and produce a pronounced water web on the surface without slumping or sagging. Where the wet cast method of manufacture is used, the water content should be reduced to a minimum and the mixture vibrated or tamped and spaded so as to eliminate aggregate pockets and to insure filling of the molds.

4.1.3.1 Storage of Materials—Cement and aggregates shall be stored in such manner as to prevent deterioration or intrusion of foreign matter. Any material which has deteriorated or damaged shall not be used in the manufacture of concrete (block) products.

4.1.3.2 Freezing Weather—No concrete (block) products shall be manufactured during freezing weather unless artificial heat is provided so as to permit the manufacture, curing and drying of concrete (block) products of properties as provided in these Rules.

4.2 Mixing Machinery.

4.2.1 The dry mixing of dense aggregates and cement shall be for at least one minute before the addition of water. After the water is added, the mixture shall be mixed for at least four minutes.

4.2.2 After all materials are placed in the mixer, they shall be mixed continuously from 4 to 8 minutes.

4.2.3 The mixing machine shall be of such type and capacity so as to insure thorough mixing. Each mixing machine shall be provided with a device for measuring and controlling the added water. A clock for timing the mix, with a dial not less than 8 inches in diameter with a large sweep second hand, shall be placed in such a position as to be readily readable by the operator of the mixer.

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Where practicable the timing of the mixing shall be integrated with the capacity of the molding machine, in which event the manufacturer shall certify that the mixer used is of a size that will produce properly mixed materials in accordance with the mixing time as provided in Rule 4.2.0.

4.2.4 The block molding machinery shall consist of hand or power operated molding machines with compacting by pressure or tamping by hand or power, or by power vibration so as to produce concrete block products of such densities as required to produce strength and absorption values consistent with the rules and proposed use of the finished product. Precautions shall be taken to ascertain how much tamping or vibrating shall be provided so as to maintain the same density in all concrete (block) products, using the same ratio of fine and coarse aggregates, so as to maintain uniformity.

4.3 Curing of Concrete (Block) Products.

4.3.1 Method of Curing—All concrete (block) products shall be properly cured by either steam curing or by storing in an enclosed space and subjecting to artificial heat and moisture as follows:

4.3.1.1 Steam curing of freshly moulded units shall be accomplished by placing the units to be cured in a steel cylinder, room or tunnel made tight and so designed as to provide moisture above the saturation point at any temperature used. For low pressure steam and temperatures up to 140° F., the curing time shall not be less than 12 hours. For high pressure steam ranging from 120 to 125 p.s.i. and temperatures between 300-400° F. such period shall not be less than 6 hours. All units shall be properly dried prior to usage.

4.3.1.2 Wet curing of freshly moulded units shall be accomplished by placing such units in reasonably tight rooms or enclosures heated to prevent freezing and equipped with fog nozzles to provide moisture. When the outside temperature drops below 50° F., heat in addition to moisture must be supplied to maintain a temperature of at least 50° F. for not less than 72 hours. After curing, such units shall be stored under cover and allowed to dry for at least 25 days prior to usage.

5.0 PROPERTIES OF CONCRETE (BLOCK) PRODUCTS.

5.1 Concrete (block) products shall have properties as follows:

a. Hollow concrete block or tile when delivered for use shall have a minimum ultimate compressive strength of seven hundred pounds per square inch of gross area tested as laid in the wall.

b. Solid concrete building block when delivered for use shall have a minimum ultimate compressive strength of fifteen hundred pounds per square inch tested as laid in the wall.

c. Such block or tile shall comply with the following requirements for general properties under visual inspection.

1. They shall be sound, of compact structure, reasonably uniform in shape and free from cracks, warpage or foreign substances which would affect their serviceability or strength.

2. If cinders form part or all of the aggregate, the cinders may contain a maximum of thirty-five per cent by weight of unconsumed carbon and a maximum of one and one-half percent by weight of sulphur.

d. When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per square inch of gross area tested as laid in the wall may be used. See C26-309 (7.1.1.4) as amended by local law 120, approved August 1, 1939, and local law Int. No. 220, passed April 25, 1940.

5.2 Test of Concrete (Block) Products.—

5.2.1 Concrete block products shall be tested in accordance with A. S. T. M. specification C140-39, after proper curing and drying except as follows:

5.2.1.1 High and Low Pressure Steam cured and properly dried blocks immediately after drying.

5.2.1.2 Units cured by artificial heat and sprinklered water when dried under cover may be tested and used in not less than 28 days. And when high early strength Portland Cement is used, such time shall not be less than 15 days.

5.2.1.3 Individual minimum compressive strengths of test specimens shall not be less than:

Hollow units	650 p.s.i. gross cross-sectional area
Solid units	1400 p.s.i. gross cross-sectional area

5.2.1.3.1 The speed of the moving head of the testing machine shall not exceed 0.05 inches per minute.

5.3 Absorption of concrete (block) products shall not exceed 15 pounds of water per cubic foot of concrete nor shall the moisture content when delivered exceed 40 percent of the total absorption based on an average of five units as tested.

5.3.1 Concrete (block) products not exposed to the elements or soil or protected by brick veneer or three coat Portland cement stucco at least 1 in. thick or other approved protective coatings need not be required to meet the absorption tests required under 5.3.

6.0 CONCRETE BRICK.

6.1 Concrete Brick For Use in Masonry Walls.

6.1.1 Concrete brick shall consist of a mixture of Portland Cement sand, gravel, crushed stone or other approved aggregates.

6.1.2 Concrete brick shall be manufactured and cured as provided in Rule 4.0.

6.1.3 The fire resisting rating of concrete brick shall be the same as for ordinary clay brick of similar thickness.

6.1.4 The size of concrete brick shall be as follows:

Depth	2 1/4" — 1/16" Tolerance
Width	3 3/4" — 1/8" "
Length	8" — 1/4" "

6.1.4.1 Concrete bricks of sizes different from the above may be used when approved by the Board.

6.2 Physical Requirements for Concrete Brick.

6.2.1 Strength of Concrete Brick — Concrete bricks shall have an average compressive strength, when tested flatwise, of 2500 p.s.i. for an average of 5 specimens, with no individual minimum less than 10%. The modulus of rupture, flatwise, for an average of 5 specimens tested shall be not less than 450 p.s.i. with no individual minimum less than 10%.

6.2.2 Absorption of Concrete Brick—Absorption requirements shall be the same as those provided for concrete (block) products in Rule 5.3.

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7.0 FILLER BLOCK FOR RIBBED FLOOR CONSTRUCTION.

7.1 Ribbed floor construction shall include floor systems with slabs and ribs placed monolithically between permanent or removable fillers, in which the ribs are spaced thirty inches or less from face to face. The ribs shall be straight, at least four inches in width, and of a maximum clear depth of not to exceed three times the average width. See C26-476.0a (8.5.8).

7.2 When concrete or scored burnt clay tile are used, the thickness of the slab shall be at least one-twelfth of the clear distance between the ribs with a minimum of one and one-half inches. Where such tile are of strength at least equal to that of concrete and the joints are staggered, the shells in contact with the concrete may be included in the resisting sections. In a two-way construction, provided the tile filler is completely surrounded by concrete ribs as specified, the exterior shells of the tile in contact with the concrete may be used for strength calculations for shear and bending and where the top slab is not required for strength such top slab may be omitted provided the construction is protected by at least two inches of incombustible material. See C26-476.0 (8.5.8) b.

7.3 Concrete filler block or tile for use in ribbed floor construction shall consist of a mixture of Portland cement or high early strength Portland cement, sand, gravel, crushed stone or other approved aggregates, manufactured, cured and stored as provided in Rule 4.0.

7.4 For use in ribbed floor construction, such filler tile or block shall have webs and shells not less than 1" in thickness and shall have properties as follows:

7.4.1. The surfaces of the filler block in contact with the concrete rib and top slab shall provide a good bond.

7.4.2 The average compressive strength over the net area of five such filler units, when manufactured, cured and stored as required in Rule 4.0, shall be at least equal to that of the concrete in the ribs of a specific job on which it is to be used.

7.4.3 The modulus of elasticity of the mix used shall be determined preferably from a test of an average of six filler blocks or in lieu thereof five tamped and rodded cylinders approximating a density (checked by weighing) equivalent to that of the filler block, 6 inches in diameter and 12 inches high, when manufactured, cured and stored under the same conditions as the filler units and as required in Rule 4.0. From the value of modulus of elasticity as obtained in this test and that of the concrete in the rib, a composite modulus shall be derived, in accordance with the theory of flexure as defined in Hooke's Law. The percentage obtained from the ratio of the modulus of elasticity of the composite section to the modulus of elasticity of the concrete in the rib will provide a new "n" value indicative of the resistance of the composite construction of the particular filler block and type of concrete used in the rib.

7.4.4 The materials and method of mixing as used to determine the physical properties of filler block in Rules 7.4.1 and 7.4.3, once fixed, shall be maintained for that job order to assure the delivery of homogeneous units of a type as tested.

8.0 MARKING OF ALL CONCRETE (BLOCK) PRODUCTS.

8.1 Concrete block products used as fillers and in partitions, furring or fireproofing purposes and tested to a compressed strength of 300 p.s.i. over the gross area, shall have a clearly discernible mark distinguishing them from load-bearing units.

8.2 Units used for load bearing walls and tested to a compressive strength of over the gross area of 700 p.s.i. for hollow units and 1500 p.s.i. for solid units, suitably identified in the case of load-bearing hollow units, either by having the letters "L.B.H.", or by having a raised vertical mark on the end web at least one inch wide and extending one-half the height of the unit and in the case of load-bearing solid units either by having the letters "L.B.S." or a raised vertical mark at least one-half inch wide on the web for the full height of the unit, and which also shall have the manufacturer's distinguishing mark as provided in Rule 8.4. On each shipment to a job, the delivery slip shall qualify the markings on the concrete masonry units.

8.3 Units used for filler blocks in ribbed floor construction shall be identified as filler block, "F.B.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.4 The manufacturer's distinguishing mark shall consist of an impression or embossing on the unit. Such distinguishing mark shall be filed with the Board and with the Borough Superintendent of Housing and Buildings where such units are to be used. All delivery slips shall be stamped, reading as follows:—Approved by the Board of Standards and Appeals for use in New York City under Cal. No.....

8.5 Contracts for all concrete (block) products shall include a proviso from the manufacturer or his representative stating the material, type, use, compressive strength, water absorption, and, in addition, in the case of filler block, the modulus of elasticity.

9.0 USES OF CONCRETE (BLOCK) PRODUCTS.

9.1. Hollow Units.

9.1.1 Load Bearing Hollow Units.

9.1.1.1 Hollow concrete block or tile, when delivered for use, shall have a minimum ultimate compressive strength of 700 p.s.i. of gross area tested as laid in the wall. C26-309.0 (7.1.1.4)a.

9.1.1.2 The allowable working stresses for concrete block or tile masonry, due to combined live and dead loads, shall be one-tenth of the ultimate compressive strength where cement mortar is used, and one-twelfth where cement lime mortar is used. Concrete block or tile building units for load bearing walls or piers shall be laid in cement or cement lime mortar. C26-358.0 (7.4.2.4).

9.1.2 Masonry foundation walls shall have a thickness at least equal to that of the wall next above, and at least equal to the thickness given in inches in the table below:

	Solid masonry	Hollow masonry	Hollow walls of brick (concrete)
Private dwellings at most twenty feet high and one-story structures at most twenty feet high....	8	12	12
Private dwelling over twenty feet high or other structures of more than one-story and over twenty feet high	12	16	16

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Foundation walls of hollow blocks may be used above grade when the upper walls are of wood frame or of hollow building block construction. All other foundation walls shall be of solid masonry, except when the structure is without basement or cellar. C26-397.0 (8.3.1.6).

9.1.3 Thickness.

In structures over two stories high, except private residences, foundation walls shall be at least four inches thicker than the wall section next above, except that when the walls are of hollow units or are hollow walls of brick, the foundation walls may be of the same thickness as the walls next above, provided such foundation walls are built of solid masonry or concrete and that as maximum of two stories above the foundation are of the same thickness. C26-397.0 (8.3.1.6)c.

9.1.4 Walls of Hollow Block or Tile.

9.1.4.1 Walls of hollow block or tile or solid structural units shall have the spaces between the units filled with mortar. The requirements of sections C26-416.0 through C26-421.0 and of section C26-426.0 shall apply to such walls.

9.1.4.2 In all walls of hollow block or tile or solid structural units, built only one unit in thickness, each unit shall break joints with those next above. When more than one unit is required to produce a given wall thickness, the units shall break joints with the units next above and shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers.* In the case of non-bearing interior partitions one story or less in height, constructed of units to be left exposed on one or both sides for architectural effect, these bonding requirements may be waived.

* The bonding specified applies only to combination walls of hollow block, tile or solid structural units and does not apply to faced walls covered by C26-440.0 (8.4.7).

9.1.4.3 Where walls of hollow masonry are decreased in thickness, the units in the top course of the thicker wall shall be filled solidly with concrete or shall be covered with slabs of solid masonry at least one inch in thickness, or solid units shall be used for the top course.

9.1.4.4 Where anchors are used in walls of hollow masonry, such anchors shall be galvanized, or shall be of non-corroding metal of adequate size and substantial construction.

9.1.4.5 Where hollow units are set with cells horizontal, such units shall be set in a full bed of mortar one-half of an inch or less in thickness, with vertical joints buttered full on shells and webs; where such units are set with cells vertical, the bearing members shall be buttered and vertical joints slushed full of mortar.

9.1.4.6 Wherever girders, beams, joists, or other structural members frame into masonry of hollow block or tile or solid building block, such members shall rest upon such solid incombustible material as will properly distribute the load.

9.1.4.7 The minimum thickness in inches of bearing walls of hollow masonry, except in private dwellings thirty-five feet or less in height, and mixed occupancies as provided in subdivision a of section C26-443.0, shall be:

40	10			
30	10	10		
20	12	10	10	
10	12	12	10	10
Height of wall in ft.	40	30	20	10

9.1.4.8 The maximum height for walls or portions of walls of hollow masonry in any class of structure shall be forty feet above the support of such walls or portions of walls.

9.1.4.9 Walls of hollow masonry may be constructed to the maximum permissible height on top of a solid masonry wall whose maximum height is thirty feet above the first tier of beams. The minimum thickness of such walls shall be based upon the requirements of section C26-427.0, and if such walls are bearing walls, such thicknesses, shall be based on the requirements of subdivision g of this section, and the solid masonry wall below shall be at least of the same thickness as that of the hollow masonry wall. See C26-431.0 a through i (8.4.3.2).

9.1.5 Veneered Walls.

9.1.5.1 Anchorage for veneered masonry walls shall comply with C26-437.0-1-2-3 (8.4.6.1 through 8.4.6.3).

9.1.5.2 Thickness and height of veneered walls shall not be included in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations. See C26-438.0 (8.4.6.2).

9.1.6 Faced Walls.

9.1.6.1 Faced walls shall be of at least the thickness required for masonry walls of the material forming the backing. Facings of brick or solid structural units shall be bonded into the backing with headers, or stretchers at least four inches thicker than the facing, the equivalent of one-sixth of the area of wall. Dressed stone facings shall be bonded to the backing with the equivalent of approximately one-fifth of the superficial area in bond stone at least four inches thicker than the facing, in addition to which, every stone other than bond stone shall be anchored to the backing with at least one non-corroding metal anchor, at least three-sixteenths of an inch by one inch, or the equivalent, in cross-sectional area. In the case of plain coursed ashlar the bond stone shall occur at least as every alternate stone in every third course.

In the case of random ashlar, range work or other jointing schemes where the more frequently spaced smaller units are used for bond stone, the metal anchors may be omitted, provided the superficial area of the bond stone is at least equal to that required for brick facing, one-sixth the area of the wall.

When faced walls are built of different materials, the minimum thickness shall be that required for masonry walls built entirely of the material having the lower compressive strength.

The height of a single course in faced walls shall, in all cases, except for pilaster and spandrel facing stone, be at most ten times the thickness of the facing material.

When facing is used, such facing shall not be figured in the strength of the wall unless

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such facing is at least four inches in thickness or at least the normal thickness of an average brick.

See C26-440.0 a through e (8.4.7).

9.1.6.2 The total thickness of the wall, except as noted above, shall be used in computing the load carrying capacity of the wall, and the average allowable stress shall be based on the ultimate compressive strength of the weaker material.

9.1.7 Party and Fire Walls.

9.1.7.1 Party walls may be of any type of masonry provided for herein and shall comply with all requirements for bearing walls. Party walls which function also as fire walls shall, in addition, conform to the requirements of section C26-631.0 and of section C26-632.0.

It shall be unlawful to load any party wall on either side to more than fifty percent of its allowable loading. See C26-441.0 (8.4.8.1).

9.1.7.2 Fire walls of masonry shall meet the material, thickness and construction requirements of section C26-631.0 and of section C26-632.0. See C26-442.0 (8.4.8.2) and Rule 3.6.1.

9.1.8 Special Forms of Walls.

9.1.8.1 Bearing Walls for Private Dwellings—Bearing walls for private dwellings shall have a minimum thickness for dwellings thirty-five feet or less in height as follows:

			Solid Masonry			Hollow Masonry and Hollow Walls of Solid Structural Units		
3	.....	8	..	..	8	..	..	8
2	.....	8	8	8	8	8	..	8
1	.....	8	8	8	10	8	8	8
Stories	....	3	2	1	3	2	1	

See C26-443.0 (8.4.9.1).

9.1.8.1.1 In such cases, faced walls of 4 inches of brick and 4 inches of hollow block may be used with header courses every 7th course. This shall apply to residence buildings only, which are not in excess of two stories or 20 feet in height.

9.1.8.1.2 In three-story structures having a maximum width of twenty-five feet, where the first story is used for commercial purposes and the upper stories for residence purposes, the minimum thickness of bearing walls shall be eight inches. See C26-443.0 (8.4.9.1.1).

9.1.9 Parapet Walls.

Parapet walls may be constructed of hollow masonry, in accordance with C26-444.0 (8.4.9.2).

9.1.10 Non-Bearing Masonry Walls.

The minimum thickness of non-bearing masonry walls, except as provided in sections C26-428.0 and C26-446.0, may be four inches less than the

thickness required for bearing walls, except that any such wall shall be at least eight inches thick. See C26-445.0 (8.4.9.3).

9.1.11 Panel Apron and Spandrel Walls.

Panel, apron and spandrel walls of masonry in skeleton frame structures shall be at least eight inches thick if such walls are constructed of solid masonry, or at least twelve inches thick if such walls are constructed of hollow masonry or at least ten inches thick, if such walls are constructed of combinations of hollow and solid masonry, except that spandrel and apron walls may be eight inches thick or may be of materials, or of assemblies or materials, other than masonry, meeting the requirements of article eleven of the Building Code. Combinations of hollow and solid masonry shall be constructed with at least four inches of solid masonry on the exterior face. The maximum height between supports of such walls when constructed of these minimum thicknesses shall be thirteen feet. When such walls exceed thirteen feet in height, they shall be increased two inches in thickness for each six and one-half feet or fraction thereof that the height is increased.

Panel walls shall be bonded or otherwise so secured to the structure as to furnish adequate lateral support to the wall. See C26-446.0 (8.4.9.4).

9.1.12 Enclosure Walls.

Enclosure walls shall meet all the requirements of height, thickness and type of construction prescribed for bearing walls. See C26-447.0 (8.4.9.5).

9.1.13 Masonry Curtain Walls.

Curtain walls of solid masonry shall be at least eight inches thick for the uppermost thirteen feet and at least twelve inches thick for the next fifty-two feet or fraction thereof below and shall be increased four inches in thickness for each succeeding sixty feet or fraction thereof below.

When masonry curtain walls are built of masonry other than solid masonry, such walls shall be at least ten inches thick for the first thirteen feet, twelve inches thick for the next lower thirty-nine feet and shall be increased in thickness four inches for each thirty-nine feet or fraction thereof next below, provided that the maximum horizontal distance between lateral supports shall be twenty feet. When the distance between the lateral supports exceeds twenty feet the thicknesses of all walls specified in this section shall be increased four inches for each additional ten feet or fraction thereof between lateral supports. Curtain walls of hollow masonry twelve inches or more in thickness shall be made of at least two bonded units. See C26-448.0 (8.4.9.6).

9.2 Uses of Concrete Block Products including Concrete Brick.

9.2.1 Solid building block when delivered for use shall have a minimum ultimate compressive strength of 1500 p.s.i. tested as laid in the wall. See C26-309.0 b (7.1.1.4).

9.2.2 The allowable working stresses for solid units of concrete (block) products shall be in accordance with the requirements of C26-358 (7.4.2.4) and for concrete brick the allowable working stresses shall be as provided for C26-356.0 a, (7.4.2.2).

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9.2.3 Solid units may be used wherever hollow units are permitted under Rule 9.1 when used under the same conditions. In addition to such uses, solid units shall be used as follows:

9.2.3.1 Solid Units in Masonry Foundation Wall.

Solid concrete (block) products for use in masonry foundation walls shall be in accordance with the requirements of Rule 9.2.1-2.9.2.3.2. Masonry

9.2.3.2 Masonry piers shall be built of solid masonry and, except as provided in section C26-314.0, shall be laid in cement mortar or cement-lime mortar, and the maximum unsupported height shall be ten times the least dimension. Sections of panel walls in skeleton construction shall not be considered as piers.

It shall be unlawful to have openings or chases within the required area of any pier. Masonry piers shall be bonded in accordance with the requirements of C26-424.0 except that when concrete (block) products are used, they shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers. See C26-431 b2. See also C26-415.0a.

9.2.3.3 Solid Masonry Walls.

9.2.3.3.1 Bonding of Wall Intersections.

When two bearing walls meet or intersect and the courses are carried up together, the intersection shall be bonded by laying in a true bond at least fifty percent of the units at the intersection.

When the courses of meeting or intersecting bearing walls are carried up separately, the perpendicular joint shall be regularly toothed or blocked with eight-inch maximum offsets, and the joints shall be provided with metal anchors having a minimum section of one-quarter of an inch by one and one-half inches, with ends bent up at least two inches, or with cross pins to form anchorage. Such anchors shall be at least two feet long and the maximum spacing shall be four feet.

Meeting or intersecting non-bearing walls shall be bonded or anchored to each other in an approved manner. See C26-426.0 (8.4.2.4).

9.2.3.3.2 Thickness of Solid Bearing Walls.

The thickness in inches of solid masonry bearing walls for the respective story heights, with the exception of private dwellings thirty-five feet or less in height and mixed occupancies provided for in section C26-443.0, shall be at least:

8	.....	12							
7	.....	12	12						
6	.....	12	12	12					
5	.....	12	12	12	12				
4	.....	16	12	12	12	12			
3	.....	16	16	12	12	12	8		
2	.....	16	16	16	12	12	12	8	
1	.....	20	16	16	16	12	12	12	8
Stories..		8	7	6	5	4	3	2	1

For the purpose of calculating wall thicknesses, thirteen feet shall be as-

sumed to be the maximum height of a story.

Regardless of the requirements of this section, it shall be unnecessary for the thickness of solid masonry bearing walls for structures of at most seventy-five feet in height to exceed twelve inches for the uppermost fifty-five feet* of height and sixteen inches for wall below the required twelve-inch wall. Where, under the foregoing provision, a change in required thickness of wall occurs between two floors, thickness required at that tier of beams nearest the elevation of the required change shall govern.

* N.E.C., Title III, Part I, Section 1007

* Note:—The Board under Calendar 308-38-A interpreted the Building Code requirement as follows:

"WHEREAS, it has been brought to the board's attention that there is a conflict of opinion as to the intent of section C26-427.0 of the administrative code (8.4.2.5).

Resolved, that section C26-427.0 of the administrative code (8.4.2.5) shall be taken to mean as follows, as to figuring the uppermost 55 feet of bearing wall and the point where a change of thickness is required: height of wall and height of story are defined in C26-82.0 (1.74). Subject to this definition as to parapet, the top of the wall shall be taken as the top surface of the highest point of the beams directly supporting the roof boarding. When the base of the 55 foot wall occurs between floors, this shall be taken to mean within the story as defined in C26-145.0 (1.138). If the base of such wall occurs at a point below the middle point in the height of a story, the change of wall thickness may be made at the next lower tier of beams. If the base of such wall occurs above the middle point in the height of a story, the thicker wall shall be carried up to the next higher tier of beams. For calculation of wall thickness, the code provides that 13 feet shall be assumed as the maximum height of a story."

When the clear span between bearing walls or between a bearing wall and an intermediate support is more than twenty-six feet, the thickness of such walls shall be increased four inches in thickness for each twelve and one-half feet or fraction thereof that such span is in excess of twenty-six feet, except where such bearing walls are adequately reinforced by buttresses. See C26-427.0 (8.4.2.5).

9.2.3.3.3 Thickness of Interior Walls in Residence Structures.

The thickness in inches of interior bearing walls with bearing on both sides in residence structures for the respective story height shall be at least:

6.....	8					
5.....	8	8				
4.....	8	8	8			
3.....	8	8	8	8		
2.....	12	8	8	8	8	
1.....	12	12	8	8	8	8
Stories ...	6	5	4	3	2	1

Where interior walls in residence structures have bearing on one side only or are non-bearing, the required thickness in inches shall be eight inches for the uppermost fifty-five feet of wall height and twelve inches below the fifty-five feet foot distance from top of such walls.

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Where wood floor and roof beams bear on both sides, such beams shall be staggered on the bearing wall and there shall be at least four inches of masonry between any two such wood beams.

The maximum length of such bearing and non-bearing walls between cross-walls, cross-bracing, piers or buttresses shall be thirty feet. See C26-428.0 (8.4.2.6).

9.2.3.3.4 Solid Masonry Walls Above Roof Levels.

Solid masonry walls above roof levels, twelve feet or less in height, enclosing stairways, elevator shafts, penthouses, or bulkheads shall be at least eight inches thick and may be considered as neither increasing the height nor requiring any increase in the thickness of the wall below, provided the allowable working stress requirements are met. See C26-429.0 (8.4.2.7).

9.2.4 Special Forms of Masonry.

9.2.4.1 Increasing height of walls.—If it is desired to increase the height of any wall, erected before January first, nineteen hundred thirty-eight, which is thinner than required by the Code, such wall shall be reinforced by a lining of solid masonry so that the combined thickness shall be at least four inches more than is required for a new wall corresponding with the total height of the wall when increased in height; provided that it shall be unlawful to use such lining to a greater height than forty feet or to increase the height of such wall to exceed seventy-five feet. Such lining shall be supported on proper foundations and shall be at least eight inches in thickness and so anchored to the old wall as to make the reconstructed wall act as a unit. Where any lining is to be built against an old wall, such wall shall be first cleaned of plaster or other coatings. Walls to be lined shall be in good condition and the approval of the superintendent shall be necessary before the work begins. See C26-454.0 (8.4.9.12).

9.2.4.2 Height of Unsupported Walls.—The maximum unsupported height of any masonry wall during the period of construction shall be two stories or twenty-six feet, unless satisfactory support is provided and specific approval of the superintendent obtained, except when walls are carried separately by structural members on each story. See C26-445.0 (8.4.9.13).

9.2.4.3 Stairway, Elevator and Similar Enclosures.

Enclosing walls of interior shafts, if non-bearing, shall meet the requirements for non-bearing walls, and if such walls are bearing, they shall meet the requirements for bearing walls, except as provided in section C26-428.0, and where such enclosing walls are

supported at each story on structural members.

Where the enclosures are supported by structural members at each story, such enclosures shall meet the requirements of sections C26-638.0 through C26-647.0 and of sections C26-660.0 through C26-665.0. See section C26-456.0 (8.4.9.14).

9.3 Filler Block for Ribbed Floor Construction.

9.3.1 Filler blocks of concrete (block) products used merely as fillers in ribbed floor construction, shall consist of any approved concrete (filler block) product with no structural properties of resisting shear and bending attributed to it in the computations.

9.3.2 Filler blocks of concrete (block) products used in resisting shear and moment, as provided in C26-476.0 (8.5.8) and having properties as provided in Rule 7.0, may be used in one and two-way ribbed floor construction. When so used, the analysis and application of the equivalent resisting section shall be as follows:

9.3.2.1 Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and the slab plus the shell and top flange of the concrete (block) product.

9.3.2.2 Equivalent resisting reinforced composite section to resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the block plus 50 per cent of the bottom flange in one-way construction and all of such flange in two-way construction.

9.3.2.3 The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler block.

9.3.2.4 The equivalent resisting reinforced composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell plus 50 per cent of the horizontal flanges of the filler block in one-way construction and all of such flanges in two-way construction, provided that the filler block is entirely surrounded by concrete ribs and the joints between the blocks are staggered.

9.3.3 In the construction of all ribbed floor systems precautions shall be taken so that the edges of filler blocks shall be placed straight and in plane so as to provide tight, uniform joints where they contact. All burrs shall be removed.

9.3.3.1 Filler blocks of special types for ribbed floor systems may be manufactured as provided herein and tested under the requirement of C26-626.0 (10.3.8) for such values as may be justified from the test results in accordance with the aforesaid section.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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JOSEPH J. DOYLE, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Approved Range Oil Burners and Space Heaters.

Approved Gas Heaters.

Approved Burners for Industrial Use.

Insulating Fibre Board Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to September 3, 1940.

Cal. No.	Department.	Premises Affected.
879-40-BZ....	H.B.Bx....	2081 Grand concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx, Alt. 425-40.

880-40-SA.....	Gale Oil and Grease Interceptor, Appliance.
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881-40-A.....	H.B.B.....	291-301 Metropolitan avenue, northwest corner of Roebing street (Block No. 2353, Lot No. 13), Borough of Brooklyn, Revocation of Curb Cut Permit (Document A-5406-29).
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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

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SEPTEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1011 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 137-40-BZ—Application, February 2, 1940, under section 7c of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Hill Holding Corporation, owner (Crescent Auto Service, lessee) to permit, partly in a business use district and partly in a residence use district, the extension in area of a accessory building on an existing gasoline service station; premises 148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens.

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CAL. NO. 514-40-BZ—Application, May 14, 1940, under sections 21, 7b and 7c of the building zone resolution, of Salomon A. Hauptman, applicant, on behalf of Estate of Giuseppe Giambalvo, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 670 Bushwick avenue and 921-931 Wiloughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

CAL. NO. 80-40-BZ—Application, January 24, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Dot Mort Holding Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2900-2926 Olinville avenue, 678 Wilgus street, southeast corner, and 679 Arnow avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.

CAL. NO. 456-40-BZ—Application, April 29, 1940, under sections 7a, 7c, 7e and 21 of the building zone resolution, of William Shary, applicant, on behalf of City Bank Farmers Trust Company, trustee, under will of Thomas Dimond, owner, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CAL. NO. 295-40-BZ—Application, March 21, 1940, under section 7c of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the maintenance of business use (restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

SEPTEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 18-40-BZ—Application, January 6, 1940, under section 21 of the building zone resolution,

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of Sidney H. Kitzler, applicant, on behalf of Margaret Murgolo, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 50), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lefterts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution,

of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 6 and 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

502-40-A—130 Union avenue, east side, 100 ft. north Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

CALENDAR

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.

783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 7, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

Copies of the Official Directory of the City of New York for the year 1940 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts,

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

RULES

- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, ¾ in. heads.
- Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5 5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fire-proof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet | 24,000 " |
| If distant 40 feet | 36,000 " |
| If distant 50 feet | 48,000 " |
| If distant 60 feet | 60,000 " |
| If distant 75 feet | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic when operating,

shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Monroe Oil Pump	658-26-SA
American Marsh Simplex	639-25-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	Northern Rotary	1396-24-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Pascoe Pump Set	1029-26-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Beach Russ Co. Rotary	1134-22-SA	Quiet May Gerotor Pump	267-32-SA
Blackmer Rotary	935-24-SA	Quimby Screw Pump, Sizes 2 in., 2½ in., 3 in., 3¼ in., 3½ in., 4 in., 5¼ in., 6 in., 7 in. and 8 in.	1193-21-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Century Rotary	908-21-SA	Ray Rotary	588-25-SA
Cook Electric Oil Pump	603-25-SA	Rotary Pressure Pump	1060-25-SA
Davidson	590-21-SA	Rotary Vacuum Pump	513-25-SA
Dean Bros. Durable Duplex	840-22-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
DeLaval IMO Oil Pump	628-32-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Double Oscillating Force Pump	458-27-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Deming Fuel Oil Pump	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump ..	1279-25-SA
Exeter Rotary	507-22-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
General Electric Oil Pump	475-32-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump	437-31-SA	Union Steam Pump for Fuel Oil	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump	503-24-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Koerting Gear Pump	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Kraissl Fuel Oil Pump	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex	194-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
McGowan Horizontal Duplex Fuel Oil Pump ..	936-23-SA		
M. D. Rotary	52-27-SA		
Milwaukee Piston Rotating Port Pump	763-25-SA		

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner	1295-24-SA	Bethlehem Oil Burner, Crusader Model	335-38-SA
A. B. C. Oil Burner, Type H	684-29-SA	Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Ace Rotary Oil Burner	47-35-SA	Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA	Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW	505-37-SA
Acme Oil Burner, Models BO-1 and BO-2 ..	132-34-SA	Bettendorf High Pressure Oil Burner	479-31-SA
Aetna Automatic Oil Burner	1547-23-SA	Bettendorf Oil Burner	731-28-SA
Air-Blast Oil Burner	579-32-SA	Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1 and MV2	1133-39-SA
Airnoil Burner	175-37-SA	Bettendorf Oil Burner, Model H.B.	498-32-SA
Airtemp Oil Burner, Models B-6 and C-6	139-36-SA	Bock Oil Burner, Models A, B, C and D ..	123-31-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA	Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Aldrich Heat-Pak Oil Burner, Models 35, 35F, 35TF, 35LG, 35DD, 35J, 35QA, 35P, 35GF, 35FF, 35CA and Compact	237-36-SA	Borden Oil Burner, Model B	29-37-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5	514-39-SA	Braden Automatic Fuel Oil Burner	322-30-SA
Alladin Oil Burner	298-26-SA	Branford Oil Burner	36-31-SA
Alexander Oil Burner	65-28-SA	Branford Oil Burner, Model "A"	461-32-SA
Alida Oil Burner	124-34-SA	Brighton Oil Burner	372-33-SA
Alida-Remington Oil Burner	124-34-SA	Bullet Automatic Oil Burners, Models A and B	195-33-SA
Alpine Oil Burner, Models A and H	110-36-SA		
Ameco Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Caloroil Burner, Type AA	1361-24-SA
Ameco Oil Burner, Model 2½M	559-38-SA	Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA	Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.	229-32-SA
American Oil-Saver Special Oil Burner, Models 1G, 2G, 3G 4G and 5G	265-37-SA	Capitol Oil Burner, Models A, B and E	23-37-SA
American Oil-Saver Special Oil Burner, Model 2½M	559-38-SA	Carboradiant Oil Burner, Models V & VS ..	16-31-SA
Anthony Nebulyte Oil Burner	1026-22-SA	Carboradiant Oil Burner, Model VSS	49-32-SA
Arcoflame Oil Burner	426-38-SA	Carborundum Burner	571-29-SA
Arcoflame Oil Burner, Models, B, C and L ..	426-38-SA	Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Aristocrat Oil Burner	222-35-SA	Carrier Oil Burner, Model 62C2	499-38-SA
Arrow Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Carrier Oil Burner, 62D2 and 62D3	334-39-SA
Arrow Oil Burner, Model 2½M	559-38-SA	Cardinal Oil Burner, Model C	50-37-SA
Associated Oil Burner	178-35-SA	Carter-Korth Oil Burner, Model "P"	389-32-SA
Auto Heat Oil Burner	284-33-SA	Carter-Korth Oil Burner	54-30-SA
Autocrat Oil Burner, Model B-1	297-31-SA	Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
Automatic Airless Oil Burner, Model No. 1 ..	53-34-SA	Ceco Oil Burner	354-35-SA
		Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Baker Automatic House Heating Burner	1323-22-SA	Century Oil Burner	157-28-SA
Baker Oil Burner, Model L, Gun Type	404-29-SA	Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD	329-35-SA	Challenger Kleen Heat Burner, Series No. 100 ..	813-28-SA
Ballard Baby Grand Oil Burner	447-32-SA	Challenger Oil Burner, Model "A"	86-34-SA
Ballard Low Pressure Mechanical Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA	Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4 ..	447-32-SA	Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Ballard Oil Burner, Model BAO	839-38-SA	Citro Oil Burner, Models A and B	86-36-SA
Ballard Super Domestic Oil Burner	939-24-SA	Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
Bauer Oil Burner	129-37-SA	Clark Horizontal Rotary Oil Burner	618-37-SA
Bayard Domestic Fuel Oil Burner	1184-22-SA	Commonwealth Automatic Oil Burner	348-28-SA
Beckett Commodore Oil Burner, Model OB-1 ..	518-39-SA	Conco Oil Burner	1200-39-SA
Benat Oil Burner, Models A, B and E	23-37-SA	Concord Burner	108-35-SA
Berggren Oil Burner	764-26-SA	Conservoil Burner, Models H-1C and H-1F ..	155-37-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H	116-37-SA	Continental Oil Burner, Models A, B and C ..	146-31-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H	116-37-SA	Cook's Automatic Oil Burner	955-27-SA
		Cope-Swift Safety Automatic Oil Burner	354-31-SA
		Craftsman Oil Burner	222-35-SA
		Crano Oil Burner, Models H-IC and H-IF ..	155-37-SA
		Crater Automatic Oil Burner	34-34-SA
		Crescent Oil Burner	222-29-SA
		Crescent Type M Size I Oil Burner and Models 8, 18 and 28	592-31-SA
		Creveling Oil Burner, Models A, B and E	23-37-SA
		Crown Oil Burner, Type XA	426-29-SA
		Crystal Blue Flame Oil Burner	423-29-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Dahl Vaporizing Oil Burner.....	915-26-SA	General Electric Oil Burner, Type DA-2....	228-33-SA
D'Elia Oil Burner	155-31-SA	General Electric Oil Burner, Type DB-2, DB-20 and DB-26	201-38-SA
Delco Heat Oil Burner	420-31-SA	General Electric Oil Burner, Models LA-3, LA-20, LA-22, LA-32, LA-34, LA-42, LA-44 and LA-54	605-38-SA
Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2, and DLM	800-38-SA	Ghapco Steam Generator	348-31-SA
Demand Oil Burner	108-34-SA	Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA
DeWalt Oil Burner	541-31-SA	Gilbarco G.B.O. Oil Burner.....	282-33-SA
Diesel-American Oil Burner, Model D-A-1..	6-37-SA	Gilbarco Industrial Burner.....	350-32-SA
Diesel Oil Burner	354-35-SA	Gilbarco Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Dietz Oil Burner, Type B.....	295-29-SA	Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA
Dietz Oil Burner, Type D.....	1105-22-SA	Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA
Dist-o-matic Oil Burner.....	663-28-SA	Gilbarco Oil Burner, Model GBOO.....	839-38-SA
Doe Oil Burner.....	317-31-SA	Gilbert & Barker Flexible Flame Burner.....	109-31-SA
Doherty Oil Burner.....	943-26-SA	Gilbert & Barker Junior Flexible Flame Do- mestic Oil Burner.....	520-31-SA
Draft-Rite Oil Burner	178-35-SA	Gilbert & Barker Oil Burner, Model S-1....	282-33-SA
Dupont Oil Burner	248-36-SA	Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H.....	116-37-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Gill Oil Burner.....	1231-23-SA
Econ-O-Heat Oil Burner, Model E.....	130-37-SA	Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA	Golden Glow Oil Burner.....	493-24-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Edison Oil Burner, Models A, B and E.....	23-37-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Eisler Automatic Oil Burner.....	481-27-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Gould Automatic Oil Burner.....	178-35-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV, TM and JM...	259-25-SA	Grant Oil Burner	382-26-SA
Ember-Glo Oil Burner	462-32-SA	Grant Oil Burner, Model "C".....	232-32-SA
Empire Oil Burner	222-35-SA	Great Eastern Oil Burner, Models A, B and E	23-37-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Great Eastern Oil Burner, Model JM	259-25-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Hardinge Oil Burner.....	813-25-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Espo Oil Gas Burner	1431-23-SA	Harris Fuel Oil Burner	690-30-SA
Esso Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA	Hart Automatic Oil Burner	1162-24-SA
Esso Oil Burner, Models E.B. 1 and 2....	520-31-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA	Hart Oil Burner, Model "H".....	221-33-SA
Esso Oil Burner, Model EBOO	839-38-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Evenheet Oil Burner	554-32-SA	Hayward Oil Burner (Vertical Rotary) Models AG, BG, CG, DG, AP, BP, CP, and DP	696-30-SA
Everedy Oil Burner	102-33-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Fadco Oil Burner	493-24-SA	Heat and Power Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Fairfield-Diesel Oil Burner	753-38-SA	Heat and Power Oil Burner, Model 2½M....	559-38-SA
Fairfield Model F Jr. Oil Burner.....	547-37-SA	Heat King Oil Burner, Model 2.....	98-35-SA
Fairfield Oil Burner.....	584-31-SA	Heat Master Oil Burner	56-39-SA
Faultless Oil Burner.....	493-24-SA	Heat-O-Matic Oil Burner	178-35-SA
Fine-Glo Oil Burner.....	178-35-SA	Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Fitzgibbons Oil Burner, Model M.....	172-37-SA	Heatiator Oil Burner	1346-23-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA	Heil Combustion Fuel Oil Burner	1105-22-SA
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA	Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Fluid Heat Oil Burner.....	361-32-SA	Herco Oil Burner, Models R-15, R-35, F, P- 15, P-35, P-50 J-5, J-10, S-20 and S-40..	21-36-SA
Forsdraft Oil Burner.....	41-34-SA	Hercules Oil Burner	510-29-SA
Foster Oil Burner	715-26-SA	Hercules Oil Burner, Models H, HF, and Type H, 1937 Model	309-33-SA
Franklin Domestic Oil Burner.....	560-26-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30	97-33-SA		
Friar Oil Burner, Models R-15 and R-35....	21-36-SA		
Fuelo Oil Burner	47-30-SA		
Gar Wood Oil Burner.....	373-30-SA		
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA		
General Automatic Oil Burner, Model A....	60-36-SA		
General Electric Fuel Oil Burner.....	434-32-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Herman Nelson Conversion Oil Burner.....	144-36-SA	Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G	265-37-SA
Hillcrest Oil Burner, Models A, B and E....	23-37-SA	Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA	Liberty Automatic Heater	129-28-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA	Liberty Pressure Oil Burner	75-34-SA
Holby Type A Fuel Oil Burner	688-29-SA	Lochinvar Oil Burning Unit	142-36-SA
Holland Gun Type Oil Burner.....	225-37-SA	Loneragan Automatic Oil Burner	208-33-SA
Holland Type "F" Oil Burner	237-34-SA	Luxor Heat Oil Burner	322-30-SA
Home-Utility Oil Burner, Models A and H..	110-36-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Homer Domestic Oil Burner	1211-25-SA		
Homer Utility Oil Burner.....	187-33-SA		
Homestead Oil Burner, Model E.....	176-36-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA
Homestead Twin Control Oil Burner, Models J, N, H, JU, and NU.....	10-34-SA	M. W. Emancipator Oil Burner	102-33-SA
Hupp Oil Burner, Models H, U, P and PP..		M. W. Oil Burning Water Heater.....	737-29-SA
		M. W. Water Heater, Model 20-D.....	365-34-SA
Ideal ArcoVariflame Oil Burner	837-38-SA	Magna Fuel Oil Burner	197-33-SA
Ideal Oil Burner, Models A, B and E.....	23-37-SA	Majestic Oil Burner	693-30-SA
Imperial Oil Burner	187-33-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA	Major Oil Burner, Models M and J.....	293-38-SA
Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA	Marr Oil Burner, Model H, Type R.....	765-26-SA
Inferno Oil Burner	82-33-SA	Marvelo Oil Burner, Model MB	336-38-SA
International Mechanical Draft Oil Burner..	372-30-SA	Master Fuel Oil Burner	350-32-SA
International Oil Burner	1305-24-SA	Master Gulf Oil Burner, Models A, B and E	23-37-SA
Iron Fireman Oil Burner, Model M.....	577-39-SA	Master-Kraft Oil Burner	83-33-SA
		May Oil Burner, Models L, C and S.....	68-24-SA
		May Oil Burner, Models BB, B, NSJ, F NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA	Mayfield Oil Burner	568-31-SA
Johnson Improved Rotary Fuel Oil Burner..	938-22-SA	Mayflower Oil Burner	124-29-SA
Joyce Oil Burner	852-26-SA	Mazda Oil Burner, Models A, B and E.....	23-37-SA
		McIlvane Oil Burner	544-29-SA
K. F. C. Oil Burner	846-25-SA	Melco Automatic Oil Burner, Type "A"	1032-25-SA
Kalamazoo Power Oil Burner, Models 1, 2 and 3	166-34-SA	Merco Oil Burner	637-29-SA
Kaytown Quiet Automatic Oil Burner, Models A, B and C	146-31-SA	Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Kelco Oil Burner	237-33-SA	Mercury Oil Burner, Model M-2	722-39-SA
Kelvinator Oil Burner	339-31-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836 and NK 30-A and Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83	105-34-SA	Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Kelvinator Rotary Oil Burner, Models NKB-275S, NKB-400S, NKB-525S, NKB-675S, NKB-440W, NKB-640W, NKB-840W and NKB-1080W	255-39-SA	Micron Oil Burner	345-34-SA
KeWaNee Oil Burner, Model "C".....	518-32-SA	Midget Oil Burner	155-34-SA
Keystone Oil Burner, Models LP and WP..	438-38-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Kingsco Oil Burner, Model E.....	130-37-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA	Mohawk Oil Burner, Models A, B and H	110-36-SA
Kleen Heet Oil Burner	62-24-SA	Monitor Oil Burner	202-34-SA
Kleen Heet Oil Burner, Type 902.....	99-35-SA	Morgan Oil Burner, Models A and H	110-36-SA
Kleen Heet Oil Burner, Type R.....	49-33-SA	Morrissey Oil Burner	673-27-SA
Korth Oil Burner, Models G and S.....	136-34-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
Kreager Oil Burner	367-30-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Kres-Kno Oil Burner	443-28-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA	Morse Fuel Oil Burner.....	820-23-SA
Kresky Oil Burner, Model MD	591-29-SA	Moto-Heat Oil Burner	195-32-SA
		Motorless Oilheat Burner, Models, 7, 9, 11, 13 and 15	628-23-SA
Laco Oil Burner, Model NL	670-30-SA	Mousette Oil Burner	887-25-SA
Laco Oil Burner, Models F, JF, BF and D....	226-33-SA		
Lange Economical Oil Burner	355-33-SA	Nabco Oil Burner	287-37-SA
Latham Automatic Oil Burner	49-38-SA	Nairoil Oil Burner, Type R, Model E.....	13-35-SA
Lawrence May Oil Burner.....	1034-27-SA	National Airoil High Pressure Burner.....	185-29-SA
Leader Bake Oven Oil Burner	384-36-SA	National Airoil Low Pressure Burner.....	186-29-SA
Leader Oil Burner	425-31-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Lectromatic Oil Burner, Model 2½M.....	559-38-SA	National Devices Oil Burner.....	184-36-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	National Heat and Power Co., Inc., Oil Burner	788-38-SA
		National Oil Burner, Model E-J.....	360-34-SA
		National Oil Burner, Series N, Models S, I and C	1129-38-SA
		National Rotary Oil Burner.....	836-25-SA
		Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
		New Perfection Oil Burner, Type "C".....	518-29-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
New Process Oil Burner	1071-27-SA	Quiet Automatic Oil Burner, Models KA, KB and KC	146-31-SA
Nichols-McCann-Harrison Burners	255-31-SA	Quiet Ballard Automatic Oil Burner	660-30-SA
Noiseless Nokol Model G Oil Burner	801-28-SA	Quiet Flame Oil Burner, Models E, EW-1, EW-1-S and EW-2	341-33-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA	Quiet Flame Oil Burner, Models, D. H and K	234-37-SA
Nokol Automatic Burner	1078-24-SA	Quiet Heet Oil Burner	49-36-SA
Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA	Quiet May Oil Burner, Models L, C and S... ..	68-24-SA
Norge Oil Burner, Models N8, N18 and N28	226-34-SA	Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA		
Norge Water Heater, Models 23 and 45	365-34-SA		
Novo Oil Burner, Model JM	259-25-SA		
Nu-Way Oil Burner	773-26-SA		
Nu-Way Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Nu-Way Oil Burner, Model 2½M	559-38-SA	Radiant Oil Burner, Model 2½ M	559-38-SA
		Radium Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA	Radium Oil Burner, Model 2½M	559-38-SA
Oilbuilt Burner	85-33-SA	Rasol Oil Burner	108-34-SA
Oil King Oil Burner, Models F, S, J and J-1	166-33-SA		
Oliver Oil Gas Burner, No. 30-A	1359-24-SA	Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16	368-34-SA
Orco Oil Burner, Model A-1	216-36-SA		
Oronoque Oil Burner	394-30-SA	Ray Gun Type Oil Burner, Model XP	50-38-SA
Orr Fuel Oil Burner	113-26-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
		Rayfield Oil Burner	504-26-SA
PDM Low Pressure Oil Burner	205-38-SA	Real Host Oil Burner	38-34-SA
Pacific Oil Burner	343-35-SA	Relmer Oil Burner	148-40-SA
Packard Fuel Oil Burner	77-34-SA	Re-Ly-On Oil Burner	745-26-SA
Paragon Oil Burner, Models A-25, A-50, A-75, A-180, AF-20 and AB-20	248-37-SA	Remington Domestic Oil Burner, Type B... ..	532-31-SA
Paragon Oil Burner, Model B	698-40-SA	Remington Oil Burner	891-26-SA
Paragon Oil Burner, Models R-15 and R-35... ..	21-36-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Paramount Oil Burner	1193-25-SA		
Paramount Oil Burner, Model A	617-30-SA	Reynolds Automatic Oil Burner, Model R-G.. ..	440-37-SA
Pascoe Oil Burner	1029-26-SA	Reynolds Oil Burner, Model GC	266-34-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA	Richfield Oil Burner, Pressure Gun Type	73-36-SA
Penn Rotary Oil Burner	236-35-SA	Richmond Gravity Fuel Oil Burner	1193-22-SA
Peoples Silent Oil Burner, Models O and G... ..	313-35-SA	Rickard Oil Burner	1011-27-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10	264-35-SA	Rite Silent Burner	187-33-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA	Ritz Oil Burner, Model A	378-36-SA
Perfect-Pantex Oil Burner	271-33-SA	Rockville Oil Burner, Models J-5 and J-10 ..	21-36-SA
Perfex Airnoil Burner	175-37-SA	Rohr Schanck Fuel Oil Burner	583-21-SA
Petro Domestic Burner	161-26-SA	Rotoflame Gem Oil Burner	187-33-SA
Petro Model T Oil Burner	451-31-SA	Round Oak Oil Burner	343-35-SA
Petro Model W Oil Burner	452-31-SA		
Petro Burner, Model O	78-28-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Petro Burner, Model P-2	735-30-SA		
Petro Oil Burner, Model W-2	244-33-SA	S. & K. Mechanical Fuel Oil Burner	1115-22-SA
Petro Oil Burner, Models, W-1 and W-1½	245-33-SA	S & K Wide Range Fuel Oil Burner	10-33-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	S-K Oil Burner, Models F and G	369-33-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH	614-32-SA	S and W Air King Oil Burner	493-24-SA
Philco Oil Burner, Models AM and B	27-37-SA	S. T. Johnson Co., B.H. Oil Burner	517-37-SA
Pioneer Automatic Oil Burner	1259-27-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Precision Oil Burner, Model W	137-37-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	S. T. Johnson Oil Heat Servant	157-34-SA
Pressure Oil Burners, Models A B and C... ..	146-31-SA	Sachem G.B.O. Oil Burner	282-33-SA
Presto Automatic Oil Burner	294-34-SA	Schulse Home Oil Burner	1487-23-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior	436-32-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Sealdheet Oil Burner, Model SH	160-36-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA	Security Oil Burner	56-28-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Selectrol Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Pyrolene Oil Burner	184-36-SA	Selectrol Oil Burner, Model 2½M	559-38-SA
		Shepard Oil Burner	563-30-SA
		Shill Oil Burner	315-30-SA
		Shur-Heat Oil Burner, Models R-15 and R-35 ..	21-36-SA
		Silent-Anburn Fuel Oil Burner, Models A, B, C, O, AI and AA	461-31-SA
		Silent Automatic Oil Burner	458-26-SA
		Silent Automatic Burner, Model "B"	709-30-SA
		Silent Automatic Burner, Model "E"	710-30-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Silent Flame Oil Burner, Model M.....	172-37-SA	Todd Spiro Oil Burner (pump type).....	94-32-SA
Silent Flash Oil Burner, Model C1.....	38-33-SA	Toridheet Oil Burner	63-28-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA	Toridheet Oil Burner, Model G.....	17-35-SA
Silent Glow Oil Burner, Model G.....	600-30-SA	Torridheet Oil Burner, Model P	134-35-SA
Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800..	345-31-SA	Tri-Aire Oil Burner, Model C-3.....	188-36-SA
Silent Glow Oil Burner, Model 1300.....	12-37-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA	Tropic Heat Oil Burner, Model G.....	136-34-SA
Silent Heet Oil Burner, Models A, B and E..	23-37-SA	Twin City-on-the-Door Oil Burner.....	129-27-SA
Silent Heet Oil Burner, Model C.....	96-36-SA	U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA	Uni-Lec-Tric Oil Burner	498-29-SA
Simplex Domestic Oil Burner, Type P.A....	446-30-SA	United States Gun-type Oil Burner	222-35-SA
Simplex Domestic Type "S.P." Oil Burner..	145-31-SA	United States Oil Burner	620-28-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G., and H.E.G.-H.....	367-36-SA	Universal Fuel Oil Burner	6-24-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA	Universal Oil Burner	584-31-SA
Socony Arrow Oil Burner	1191-24-SA	Vapomatic Oil Burner	275-34-SA
Standard Automatic Oil Burner, Type 14-G	536-31-SA	Vaporoil Burner	44-32-SA
Standard Automatic Oil Burner, Type 11-G	537-31-SA	Vesta Oil Burner	451-26-SA
Standardyne Oil Burner	34-34-SA	Victor Oil Burner	612-30-SA
Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA	Victory Oil Burner	320-30-SA
Sterling Oil Burner	322-30-SA	Viking Oil Burner	396-32-SA
Stromberg Oil Burner, Models A, B and E....	23-37-SA	Vitro-Heet Oil Burner, Model MD.....	591-29-SA
Stuhler Oil Burner	618-27-SA	Vitro-Heet Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Summerheet Oil Burner	84-36-SA	Volcano Automatic Oil Burner	556-29-SA
Sundstrand Automatic Oil Burner.....	581-26-SA	Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E.....	341-33-SA
Sundstrand Purmāco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	755-26-SA	Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Sunflower Model S-1 Oil Burner	658-30-SA	Vortex Oil Burner, Type V, Model No. 7....	180-38-SA
Sunflower Oil Burner, Model S-2	657-29-SA	Wards Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Sun-Glo Oil Burner, Models A, B and E.....	587-30-SA	Warner Oil Burner, Model A.....	16-34-SA
Sun Heat Oil Burner	23-37-SA	Wayne Oil Burner	1155-25-SA
Sun-Ray Fuel Oil Burner	603-29-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Sunway Oil Burner	106-33-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Super Automatic Oil Heater, Model SSH....	624-30-SA	Webster Oil Burner, Model M.....	172-37-SA
Super Automatic Zephyr Oil Burner, Model A	715-29-SA	Weco Multi Oil Burner, Low Pressure Type	24-36-SA
Superb Oil Burner, Models A and B.....	463-31-SA	Welbilt Oil Burner	222-35-SA
Superflex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	86-36-SA	Westinghouse Oil Burner, Model K	17-35-SA
Superheet Oil Burner, Model D	400-32-SA	Westinghouse Oil Burner, Model P	134-35-SA
Superior Oil Burner, Models A and H.....	254-33-SA	Westinghouse "Spiralaire" Oil Burner, Model J	559-39-SA
Supreme Oil Burner, Model G.....	110-36-SA	Wheco Oil Burner	108-34-SA
Swirling Heat Oil Burner, Model A-M.....	136-34-SA	White Flame Oil Burner.....	357-35-SA
Sword Automatic Oil Burner.....	242-36-SA	White Heat Oil Burner	232-36-SA
Syncro-Flame Oil Burner, Models R and RH	951-25-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, R, HP-3, HP-1 Sentinal, HP-3A Sentinal, HP-1 Metered Heat and HP-3A Metered Heat	918-22-SA
Tabor Automatic Oil Heater, Type "D"....	139-35-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Thatcher Oil Burner (Gun Type), Models B-1 and B-2.....	778-28-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Thermoil Oil Burner, Model G1.....	831-39-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Thompson-Gould Oil Burner.....	324-36-SA	Wizard Automatic Oil Burner	181-33-SA
Thoroburn Oil Burner, Model A-1-16-G.....	178-35-SA	York Automatic Oil Burner	44-29-SA
Timken Oil Burner, Model 20.....	269-33-SA	York Bake Oven Oil Burner	384-36-SA
Timken Rotary Oil Burner.....	287-28-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	297-29-SA	York-Lalor Oil Burner	261-37-SA
Timken Silent Automatic Oil Burner, Model G	121-35-SA	Yorktown Oil Burner	166-33-SA
Timken Wall Flame Oil Burner, Model F....	266-34-SA	Yorktown Oil Burner, Model A.....	3-35-SA
Todd Mechanical Oil Burner, Type Hex-Press	497-38-SA	Zenith Oil Burner	270-34-SA
Todd Rotary Burner, Models A, B and C....	177-35-SA		
Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	454-25-SA		
Todd Spiro Oil Burner	281-37-SA		
	470-31-SA		

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly.....	250-34-SA	Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588	923-38-SA
Aetna Range Oil Burner	29-35-SA	Gilbert and Barker Oil Space Heaters, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811	56-37-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.....	148-37-SA	Hi-Heat Range Burner, Models A and De-Lux	323-34-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA	Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA
Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200 and 103-76300	725-39-SA	Kalamazoo Range Burner, Models Junior, Lupre and DeLuxe	238-33-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type).....	206-35-SA	Ker-Oil Automatic Water Heater	263-35-SA
Air-O-Flame Range Burner	236-34-SA	Kerogas Bowl Type Space Heater, Models 300-300A, 303-303-A, 310-310-A, 315-315-A and 320-320-A	266-35-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA	Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115.....	339-34-SA
Ameroil Oil Burner for Stoves and Ranges..	592-32-SA	Kolrid Range Burner	48-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Kres-Kno Range Oil Burner, Model MD, Sizes KR, KRF, KRF-1 and 1R.....	355-34-SA
Bland Range Oil Burner	234-34-SA	Lochinvar Automatic Oil Burning Water Heater	143-36-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe.....	308-34-SA	Lonergan Automatic Hot Water Heater....	179-35-SA
Brigham Range Oil Burner	217-35-SA	Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2	263-34-SA
Caloroil Oil-Electric Range Burner.....	728-39-SA	Loyalty Range Burner	302-34-SA
Caloroil Range Oil Burner	172-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Carrier Water Heater, Types 60B4 and 60B5	121-35-SA	M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
Champion Range Oil Burner, Models A and B	291-34-SA	M.W. Circulating and Radiant Heaters, Models 501, 601, 701, 801, 406, 407, 506, 507, 611, 612, 614, 711, 712 and 714	366-34-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA	M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G, 165 and 175	364-34-SA
Coleman Oil Burning and Space Heater, Models 821A, 822A, 824, 825, 826 and 827	308-36-SA	Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Diamond Range Oil Burner	325-34-SA	Majestic Space Heater, Models 247T and 248	181-35-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27	157-35-SA	Majestic Water Heater, Models 255A and 255B	182-35-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19	158-35-SA	Matchless Self-Lighting Range Oil Burner..	410-37-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA	Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
Electrol Industrial and Range Oil Burner, Model LF	575-39-SA	National Range Oil Burner	361-34-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA	Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA	No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Estate Oil Heatrola (Oil Burner), Models 821F, 822F, 822FT, 823F, 825FT, 827F, 883F, 884F, 885F, 913F, 913FT, 915F, 917F and 919F	135-39-SA	Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Estate Speedex Oil Heater, Models 731, 732, 733, 734, 735 and 737	135-39-SA	Octo Range Oil Burner	410-37-SA
Evanoil Heater, Circulating Type, Models SF-7 SF-8, DF-10, DF-88, E-7, E-8, E-10 and E-88	1209-39-SA	Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe	311-34-SA	Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA
Farifax Range Burner	302-34-SA	Orlando Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2	545-39-SA	Plymouth Oil Burning Space Heater, Models 18, 20, 28 and 30	923-38-SA
Florence Oil Heater, Models, KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9	62-33-SA	Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906P, 907P, 300P, 918P, 920P, 930P and 933P..	493-38-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA	Putnam Range Oil Burner	54-35-SA
Florence Range Burners	219-34-SA		
fox Range Oil Burner	200-34-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Quaker Burnoil Stove	11-31-SA	GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Quick Meal Range Burner	304-34-SA	Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119, 1120, 1221, 1231, 1201, 1232, 1222, 1202, 1235, 1247, 1205, 1309, 1305, 1306, 1310, 1317, 1318, 1319 and 1320 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35	306-34-SA	Toridheet Range Water Heater, Models 222, 232 and 242	65-35-SA
Quick Meal Water Heater, No. 5681-0	305-34-SA	Tower Range Oil Burner	126-33-SA
Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater	32-31-SA	Vap-R-Oil Oil Burner for Ranges and Stoves Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17	592-32-SA
Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	243-36-SA
Samco Oil Space Heater, Models 1108 and 1110	73-37-SA	Viking Pot Type Space Heater, Models 120, 165 and 170	329-34-SA
Sears-Roebuck Oil Burning Water Heater, Hercules Model No. 2544	303-36-SA	Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	310-35-SA
Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA	Viking Range Water Heater, Models 222, 232 and 242	333-34-SA
Serv-Well Space Heater, Models 247T and 248	166-35-SA	Vitro-Heat Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R	65-35-SA
Serv-Well Water Heater, Models 255A and 255B	167-35-SA	Washington Oil Burning Space Heater, Models 3712, 3724, 3736, 3747 and 3758	355-34-SA
Silent Glow Oil-Electric Range Burner	728-39-SA		
Silent Glow Range Oil Burner	172-34-SA		
Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80	24-37-SA		
Silent Heat Oil Burner for Ranges and Stoves	592-32-SA		
Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA		
Speedy Hot Oil Space Heater, Models			

APPROVED GAS HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Arco Ace Conversion Gas Burner	588-39-SA	Humidaire Gas Fired Humidifier	926-39-SA
Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C	292-38-SA	Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200	679-38-SA
Bryant Vertical Forced Air Heater, Model 8, Type VB (Gas Fired)	443-38-SA	Humphrey Heat Tower (Gas Fired Forced Air Heater)	912-39-SA
Carrier Direct Fired Gas Burner Unit, Model 58C3	201-39-SA	Janitrol Gas Unit Heater, Models UG45-37, UG60-37, UG85-37, UG100-37, UG125-37, UG160-37, UG200-37, UG400, CG45-37, CG60-37, CG85-37, CG100-37, CG125-37, CG160-37, CG200-37, CG400, M 2000, M 3000, M 4000, D 4000, UG60-35, UG125-35, UG200-35, CG10-34 and CG8-34	683-38-SA
Empire Ideal Gas Fired Boiler, Model O-G... ..	553-39-SA	Richmond Gas Fired Air Conditioner	655-39-SA
Empire Ideal Gas Fired Boiler, Model 1-GA, for Hot Water Systems	554-39-SA	Richmond Heatomat Gas Heating Boiler	654-39-SA
Empire Ideal Gas Fired Boiler, Model 4-GA, for Hot Water Systems	556-39-SA		
Estate Flue Connected In-A-Floor Gas Heat-rolas, Nos. 75, 45, 30 and 20	973-39-SA		

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Ace Rotary Oil Burner	47-35-SA	Bake-O-Heat Oil Burner	1205-39-SA
Air-Blast Oil Burner	579-32-SA	Ballard Automatic Oil Burner	1363-23-SA
Airnoil Burner	175-37-SA	Ballard Oil Burner, Models B-A 1, 2, 3 and 4	447-32-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA	Ballard Low Pressure Mechanical Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5	514-39-SA	Ballard Jr. Oil Burner	1176-27-SA
Alpine Oil Burner, Models A and H	110-36-SA	Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner	1414-22-SA
Anthony Nebulyte Oil Burner	1026-22-SA	Bauer Oil Burner	129-37-SA
Arconame Oil Burner, Models A, B and C ..	426-38-SA	Berggren Oil Burner	764-26-SA
Aristocrat Oil Burner	222-35-SA	Best Calorex Burner	1464-21-SA
Associated Oil Burner	178-35-SA	Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Auto Heat Oil Burner	284-33-SA		
Automatic Airless Oil Burner, Model No. 1..	53-34-SA		
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA		

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA	Gilbarco Industrial Burner	350-32-SA
Bock Oil Burner, Models WH3, WH-5, WH-6 and WH-8	102-34-SA	Gilbarco Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Borden Oil Burner, Model B	29-37-SA	Gilbert & Barker Fuel Oil Burner	1636-21-SA
Brighton Oil Burner	372-33-SA	Gold Star Oil Burner, Models F and S	166-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Burnwell Mechanical Burner	957-22-SA	Gould Automatic Oil Burner	178-35-SA
Caloroil Burner, Type AA	1361-24-SA	Grant Oil Burner, Model "C"	232-32-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA	GRD Fuel Oil Atomizer	128-27-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Hammond Oil Burner	72-31-SA
Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA	Harris Fuel Oil Burner	690-30-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA	Hart Oil Burner, Model "H"	221-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hauck Venturi Low Pressure Oil Burner	88-27-SA
Clark Horizontal Rotary Oil Burner	618-37-SA	Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Coen Mechanical Oil Burner	942-21-SA	Hayward Oil Burner, Model 2000	118-35-SA
Conco Oil Burner	1200-39-SA	Heat Master Oil Burner	56-39-SA
Concord Burner	108-35-SA	Heat-O-Matic Oil Burner	178-35-SA
Cornell No. 1 Type A Oil Burner	397-23-SA	Herco Oil Burner, Models R15, R35, F, P15, P35, P50, J5, J10, S20 and S40	21-36-SA
Craftsman Oil Burner	222-35-SA	Hobeco Oil Burner	1278-21-SA
Crater Automatic Oil Burner	34-34-SA	Holby Oil Burner	328-27-SA
Dahl Mechanical Fuel Oil Burner	13-21-SA	Holby Type B Fuel Oil Burner	689-29-SA
D'Elia Oil Burner	155-31-SA	Holland Gun Type Oil Burner	225-37-SA
Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2 and DLM	800-38-SA	Home Utility Oil Burner, Models A and H	110-36-SA
Demand Oil Burner	108-34-SA	Hupp Oil Burner, Models H, U, P and PP	10-34-SA
Demand Oil Burner, Model A (for Pressing Machines)	841-39-SA	Ideal Arco Variflame Oil Burner	837-38-SA
DeWalt Oil Burner	541-31-SA	Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA
Doe Oil Burner	317-31-SA	Induslo Fuel Burner 1-27	5-24-SA
Draft-Rite Oil Burner	178-35-SA	Kalamazoo Power Oil Burner, Models 1, 2 and 3	166-34-SA
Electrol Industrial and Range Oil Burner, Model LF	575-39-SA	Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836, NK30-A, NK30-B, NK30-C, NK30-D, NK45 and NK83	105-34-SA
Empire Oil Burner	222-35-SA	Keystone Oil Burner, Models LP and WP	438-38-SA
Enco Type 400 Steam Atomizing Oil Burner	1414-23-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Enco Mechanical Oil Burner	509-30-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA	Korth Oil Burner, Models G and S	136-34-SA
Enterprise Steam Atomizing Burner	15-33-SA	Kreager Oil Burner	367-30-SA
Esso Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Faber Industrial Fuel Oil Burner, Types B and M	372-38-SA	Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA	Leader Bake Oven Oil Burner	384-36-SA
Fine-Glo Oil Burner	178-35-SA	Leiman Brothers Fuel Oil Burner	314-30-SA
Fisher Oil Burner, Model M	182-38-SA	Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Fitzgibbons Oil Burner, Model M	172-37-SA	Liberty Automatic Heater	129-28-SA
Forsdraft Oil Burner	41-34-SA	Liberty Pressure Oil Burner	75-34-SA
Frankfort Type P Oil Burner	1046-23-SA	Leintz Oil Burner	155-20-SA
Friar Oil Burner, Models R-15 and R-35	21-36-SA	Loneragan Automatic Oil Burner	208-33-SA
Gem Fuel Oil Burner	111-26-SA	Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	Magna Fuel Oil Burner	197-33-SA
General Electric Oil Burner, Type DA-2	228-33-SA	Mahrvel Low Pressure Burner	859-26-SA
Ghapco Steam Generator	348-31-SA	Major Oil Burner, Models H, U, P and PP	10-34-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA,		Master Fuel Oil Burner	350-32-SA
		Maxon Oil Burner (New Style)	1026-22-SA
		May Oil Burner, Models L, C and S	68-24-SA

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA	Reynolds Oil Burner, Model GC	266-34-SA
Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Rockville Oil Burner, Models J-5 and J-10	21-36-SA
Metered Heat Oil Burner, Model G	136-34-SA	Rockwell Fuel Oil Burner	341-21-SA
Micron Oil Burner	345-34-SA	Rohr Schanck Fuel Oil Burner	583-21-SA
Midget Oil Burner	155-34-SA	S. & K. Mechanical Fuel Oil Burner	1115-22-SA
Midget Pressing Machine Oil Burner	122-35-SA	S. & K. Wide Range Fuel Oil Burner	10-33-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA	S. K. Oil Burner, Models F and G	369-33-SA
Minneapolis Automatic Oil Burner	34-34-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Mohawk Oil Burner, Models A, B and H	110-36-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Monarch Industrial Oil Burner	133-35-SA	Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Morgan Oil Burner, Models A and H	110-36-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1	359-33-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA	Silent Flame Oil Burner, Model M	172-37-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Morse Fuel Oil Burner	820-23-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Nabco Oil Burner	287-37-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
National Airoil High Pressure Burner	185-29-SA	Standardyne Oil Burner	34-34-SA
National Airoil Low Pressure Burner	186-29-SA	Steam Oil Burner	183-22-SA
National Airoil Type DR Rotary Oil Burner	548-31-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Devices Oil Burner	184-36-SA	Stewart Gasifier Oil Burner	146-35-SA
National Heat and Power Co., Inc., Oil Burner	788-38-SA	Sun Heat Oil Burner	603-29-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Sun-Ray Fuel Oil Burner	106-33-SA
Nichols-McCann-Harrison Burners	255-31-SA	Sunway Oil Burner	624-30-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA	Superior Oil Burner, Models A and H	110-36-SA
North American Low Pressure Oil Burner	792-26-SA	Supreme Oil Burner, Model G	136-34-SA
Nu-Vapomatic Oil Burner (for Pressing Machines)	708-39-SA	Surface Combustion Low Pressure Burner	92-23-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA	Syncro-Flame Oil Burner, Model R	139-35-SA
Oilbilt Burner	85-33-SA	Tate-Jones Fuel Oil Burner, "L" Type	1254-24-SA
Orco Oil Burner, Model A-1	216-36-SA	Tate-Jones No. 6 Oil Burner	1444-23-SA
Oronoque Oil Burner	394-30-SA	Thompson-Gould Oil Burner	178-35-SA
PDM Low Pressure Oil Burner	205-38-SA	Timken Rotary Oil Burner	297-29-SA
Packard Fuel Oil Burner	77-34-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA	Todd Mechanical Fuel Oil Burner	1525-22-SA
Paramount Oil Burner, Model A	617-30-SA	Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA	Todd Rotary Burner, Models A, B and C	454-25-SA
Penn-Automatic Oil Burner, Gun Type	250-37-SA	Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	281-37-SA
Perfect-Pantex Oil Burner	271-33-SA	Todd Spiro Oil Burner	470-31-SA
Perifex Airnoil Burner	175-37-SA	Todd Spiro Oil Burner (pump type)	94-32-SA
Petro Mechanical Burner and Air Register	735-24-SA	Todd Steam Atomizing Fuel Oil Burner	123-23-SA
Petro Model W Oil Burner	452-31-SA	Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA	Tropic Heat Oil Burner, Model G	136-34-SA
Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH	614-32-SA	United States Gun-type Oil Burner	222-35-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	United States Oil Burner	620-28-SA
Presto Automatic Oil Burner	294-34-SA	Vapofier Oil Burner	184-34-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA	Vapomatic Oil Burner	275-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Vaporoil Burner	44-32-SA
Pyrolene Oil Burner	184-36-SA	Vitro-Heat Pressing Machine Burner, Model MD, Sizes KRF and KRF-1	354-34-SA
Quiet Ballard Automatic Oil Burner	660-30-SA	Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Quiet Heet Oil Burner	49-36-SA	Warner Oil Burner, Model A	16-34-SA
Quiet May Oil Burner, Models L, C and S	68-24-SA	Wayland Horizontal Rotary Oil Burner	204-40-SA
Quiet May Oil Burner, Models BB, B, NSJ, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA	Webster Oil Burner, Model M	172-37-SA
Quigley No. 10 Low Pressure Oil Burner	436-31-SA	Welbilt Oil Burner	222-35-SA
Quinn Oil Burning Equipment	367-21-SA	Wheco Oil Burner	108-34-SA
Rasol Oil Burner	108-34-SA	White Heat Oil Burner	232-36-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Relmer Oil Burner	148-40-SA	Wizard Automatic Oil Burner	181-33-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	York Bake Oven Oil Burner	384-36-SA
		York-Lalor Oil Burner	261-37-SA
		Yorktown Oil Burner	166-33-SA
		Yorktown Oil Burner, Model A	3-35-SA

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Maximum linear expansion, per cent	$\frac{1}{2}$	$\frac{1}{2}$	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with $1\frac{1}{8}$ " No. 13 gauge blued or galvanized plaster board nails, with $\frac{3}{8}$ " heads for $\frac{1}{2}$ " board and $1\frac{3}{4}$ " nails with $\frac{3}{8}$ " heads for $\frac{3}{4}$ " or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than $\frac{2}{3}$ by weight of sand and $\frac{1}{3}$ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than $1\frac{1}{2}$ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than $\frac{1}{4}$ " thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than $\frac{3}{4}$ by weight of sand and the remaining $\frac{1}{4}$

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

RULES

shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of 1/2" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1 1/2" wire nails, 6" or less c-c, with 3/8" head, and for 3/4" or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE. Untreated combustible insulation board of a single layer or thickness not to exceed 1/2" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls, C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeal Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 37

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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proved Fuel Oil Fill Pipe Terminals.

les relative to ' .bmerged Inlets and Protective Meth-
ds to be applied to Prevent Contamination of Water
upply.

proved Vacuum Breakers.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to September 10, 1940.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected.</i>
882-40-A.....	F.D.....	148 39th street, southwest corner of Second avenue (Bush Terminal Bldg., No. 19, Fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn, 84539-L.C.

883-40-A.....	F.D.....	827 Sixth avenue (formerly known as 479), west side, 38.8 ft. south of West 29th street (Block No. 804, Lot No. 40), Borough of Manhattan, Decision re 5532-L.F.
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884-40-A.....	F.D.....	136-138 West 24th street, south side, 298 ft. east of Seventh avenue (Block No. 799, Lot No. 60), Borough of Manhattan, Decision re 5403-L.F.
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885-40-SM.....		Atlas Fireproof Door Company Tin-Clad Underwriter 3-Ply Class "A" Sliding Door for Three Hour Openings, manufactured by Atlas Fireproof Door Company, Material.
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886-40-A.....	F.D.....	1768-1782 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21-30), Borough of Brooklyn, 84523-L.C.
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887-40-A.....	H.B.B.....	47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan, Viol. 3838-40 and Decision re Electric Sign Applic. 119-40.
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888-40-SA.....		Bethlehem - Dynatherm Oil Burner, Appliance.
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889-40-A.....	F.D.....	22-24 Jones street, south side, 140 ft. east of Bleecker street (Block No. 590, Lot No. 16), Borough of Manhattan, 9051-L.F.
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890-40-A.....	F.D.....	3600-3620 Jerome avenue, east side, 35.08 ft. north of East 213th street (Block No. 3329, Lot No. 85), Borough of The Bronx, Decision re 5586-L.F.
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891-40-BZ.....	H.B.M.....	17 East 65th street, north side, 89 ft. west of Madison avenue (Block No. 1380, Lot No. 13), Borough of Manhattan, N.B. 100-40.
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892-40-S.....	H.B.B.....	236 42nd street, south side, 275 ft. east of Second avenue (Block No. 722, Lot No. 21), Borough of Brooklyn, Alt. 4040-40.
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893-40-SM.....		Corkcrete (for floors and bases), manufactured by Andrew Marzoli, Material.
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894-40-BZ.....	H.B.B.....	9308-9312 Kings highway, east side, 42 ft. 10 $\frac{7}{8}$ in. north of East 93rd street (Block No. 4668, Lot No. 76), Borough of Brooklyn, N.B. 1489-40.
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895-40-SM.....		Hollup Welding Electrodes, Grades Sureweld B and Sureweld N, manufactured by Hollup Corporation, Material.
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896-40-A.....	H.B.Q.....	680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens, Misc. Applic. 9766-39.
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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and; F.D.—Fire Department.

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SEPTEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

AL. NO. 210-40-BZ—Application, February 27, 1940, under section 21 of the building zone resolution, of John D. Connaughton, applicant, on behalf of Cristina Pelizzari, owner, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

AL NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

AL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 137-40-BZ—Application, February 2, 1940, under section 7c of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Hill Holding Corporation, owner (Crescent Auto Service, lessee), to permit, partly in a business use district and partly in a residence use district, the extension in area of an accessory building on an existing gasoline service station; premises 148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens.

CAL. NO. 514-40-BZ—Application, May 14, 1940, under sections 21, 7b and 7c of the building zone resolution, of Salomon A. Hauptman, applicant, on behalf of Estate of Giuseppe Giambalvo, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 670 Bushwick avenue and 921-931 Wiloughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

CAL. NO. 80-40-BZ—Application, January 24, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Dot Mort Holding Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2900-2926 Olinville avenue, 678 Wilgus street, southeast corner, and 679 Arnow avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

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636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

CAL. NO. 456-40-BZ—Application, April 29, 1940, under sections 7a, 7c, 7e and 21 of the building zone resolution, of William Shary, applicant, on behalf of City Bank Farmers Trust Company, trustee, under will of Thomas Dimond, owner, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 295-40-BZ—Application, March 21, 1940, under section 7c of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the maintenance of business use (restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 18-40-BZ—Application, January 6, 1940, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Margaret Murgolo, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

Appeal from Administrative Decision.

556-40-A—184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

HARRISH H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of

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the building zone resolution, *Tuesday morning, September 24, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two

(2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 574-40-BZ—Application, May 27, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Giuseppe Proscia, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn.

CAL. NO. 2-40-BZ—Application, January 2, 1940, under section 7h of the building zone resolution, of Kollsman Instrument Company, Inc., applicant and lessee, on behalf of Palotto Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises south side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens.

CAL. NO. 532-40-BZ—Application, May 17, 1940, under section 7h of the building zone resolution, of Benjamin M. Sylvan, applicant, on behalf of Hylda Kaufman and Sadie Rosenberg, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 988 Forest avenue, east side, 168.65 ft. south of East 165th street and 991-1001 Tinton avenue (Block No. 2659, Lot No. 20), Borough of The Bronx.

CAL. NO. 194-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution, of Helen Lulves, applicant and owner, to permit in a residence use district, the conversion of occupancy of an existing dwelling to business use (undertaking establishment); premises 4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx.

CAL. NO. 302-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Ferdinand Savignano, applicant, on behalf of Joseph Molina, owner, to permit in a business use district, the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill; premises 1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
- 502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.
- 618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.
- 737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.
- 750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.
- 783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.
- 704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.
- 784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.
- 794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 1, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Cliffdodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.
- CAL. NO. 1183-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Josephine Mauriello, owner, to permit partly in a business use

district and partly in a residence use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Mosholu parkway, north (Block No. 3331, Lot No. 73), Borough of The Bronx.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65 to 67, inclusive), Borough of The Bronx.

CAL. NO. 393-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of The Mortgage Corporation of New York, applicant and owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Julien L. Bartelstone (doing business as Pilgrim Refrigerator Company), lessees, to permit in a residence use district, the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and the manufacture of signs; premises 45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

Appeal from Administrative Decision.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday afternoon, October 1, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business

use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 210-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.

Rule 6. Storage and Mixing.

Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPROVED APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Name	Calendar No.	Name	Calendar No.
Automatic Paint Sprayer	477-37-SA	Milburn Spray Painting Equipment	492-38-SA
Inks Circulating System for Paint Spraying	851-39-SA	Paasche Spray Painting Equipment.....	363-32-SA
Inks-Hu-Ro-Thor-Hurley Spray Equipment.....	338-32-SA	Sharpe Spray Guns, Models B-21, C-21, RA-21,	
De Vilbiss Spray-Painting Equipment.....	336-32-SA	RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,	
Eclipse Spray Painting Equipment.....	151-38-SA	L, M-2, M-4, FA-36 and FC-36.....	604-38-SA
Eureka Paint Sprayer.....	478-37-SA	Spraco Spray Painting Equipment.....	479-32-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.	Name	Calendar No.
Alro	720-38-SA	Preferred	213-35-SA
Be and Mason	10-36-SA	Rhode Island	204-35-SA
Bagg	345-35-SA	Seal-O-Strain	48-35-SA
H. N.	292-35-SA	Sealtite	231-35-SA
Ballory Fill Pipe Terminal	990-39-SM	Simplex	214-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA	Weco	78-38-SA
Wewbury	223-35-SA		

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the check

valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED VACUUM BREAKERS

Name	Calendar No.	Name	Calendar No.
Beal Vacuum Breaker	685-39-SM	Nibco Ace Type Back-Siphon Ball Cock.....	416-39-SM
Bidoro Vacuum Breaker, Type D, sizes 1", 1 1/4", 1 1/2", 2", 2 1/2", 3", 3 1/2" and 4".....	270-28-SA	Nibco King Anti-Siphon Ballcock, No. 09A ..	416-39-SM
Bridgeport Brass Company, Vacuum Breaker	611-40-SM	Novac Flush Valve Vacuum Breaker.....	174-38-SA
Cadwell Syphon Breaker, Model 125.....	165-39-SA	Penberthy Vacuum Breaker	1200-38-SA
Cadwell Syphon Breaker and Agitator, No. 115	370-39-SA	Ritter Dental Cuspidor, Model C	190-40-SM
Coldwater Brass Co. Anti-Back Syphonage Ballcock C.B.C., No. 136.....	439-39-SA	S.S. White Dental Cuspidor, No. 7	366-40-SM
Coyne and Delany Company, Vacuum Breaker, No. 95	116-40-SM	Scovill M. V. B. No. 22 Ballcock.....	942-38-SA
Crane Company Vacuum Breakers for Supply Fixtures, C-7830, sizes 3/8", 1/2", 3/4", 1", 1 1/4", 1 1/2", 2" and 3"	750-38-SA	Scovill "S" Vacuum Breaker Ballcock.....	109-39-SA
Crane Company Vigilant Vacuum Breaker	345-38-SA	Scovill Vacuum Breaker Ballcock, No. 18.....	515-39-SM
Delany Vacuum Breaker, Model DV-88.....	842-38-SA	Scovill Vacuum Breaker Ballcock, No. 24-VB	283-40-SM
Delany Vacuum Breaker, Model DV-90.....	379-39-SA	Sloan Vacuum Breaker, Model V-60-A.....	167-38-SA
Hedges and Brother Pilot Vacuum Valve.....	186-39-SA	Sloan V-100, Vacuum Breaker	1224-39-SM
Imperial Vacuum Breaker, Model M-1139 ..	1439-39-SM	Sloan V-100-B 1/2 in. and 3/8 in. I.P.S. Vacuum Breaker	139-40-SM
Kohler K-9251 Float Valve and Vacuum Breaker	492-39-SM	Standard Sanitary Tank-Vacuum Breaker....	208-39-SA
Murray and Sorenson Flush Valve Vacuum Breaker	494-39-SM	Vac-O-Vent, Model B	477-39-SM
		Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel.....	351-38-SA
		Watts-Vacuum Breaker, No. 88, 3/8, 1/2 and 3/4 in. diameter	346-39-SA
		Weber Vacuum Breaker for Dental Cuspidors	413-40-SM

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 38

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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COURT DECISION.

Appellate Division, First Department (N.Y.L.J. September 12, 1940) decision May 3, 1940. (Reversed Supreme Court judgment granting injunction.)

Benjamin Bazinsky, doing business under the firm name and style of Oxford Garage; Samrose Realty Corporation, Alice Marer and Safeway Garage, Incorporated, respondents, vs. Kesbec, Incorporated, appellant.

Present—Martin, P. J.; Untermeyer, Dore, Cohn and Callahan, J. J. (Mr. Justice Cohn dissenting).

"A zoning ordinance which prohibits the parking of cars in open lots is not rendered inapplicable, nor is its application unconstitutional merely because defendant's property was used for the parking of cars before the passage of the ordinance, even though such prior use is accompanied by an investment in regulating and grading the lot for parking purposes. However, where the plaintiffs secured a variance from the Board of Standards and Appeals so as to permit their property to be used for public garage purposes, they are not in a position as private property owners, to maintain an action for an injunction against the defendant who is violating the zoning regulation by maintaining a parking lot in competition with the plaintiffs and to their damage. Although persons using a neighborhood in conformity with a restricted use may be entitled to enjoin a non-conforming use from which they suffer special injury, the plaintiffs, as non-conforming users themselves, are not persons for whose benefit the restrictions contained in the zoning ordinance were adopted and therefore are not en-

titled to procure injunctive relief. It was never intended that the zoning resolution should be used by one non-conforming property owner against another to stifle business competition. As between mere business competitors who are all non-conforming users, enforcement of the zoning statutes should be left to the public authorities."

Premises—184th street and Jerome avenue, New York City.

Mr. Justice Cohn's dissenting opinion (in part): "A suit in equity may be maintained to restrain the violation of a statute enacted for the protection of the public by one who is injured in person or in property by its violation."

SEPTEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley, Gale and Rosenholz, applicants, on behalf of Harry Hugger, owner, reopened for consideration as to extension of permit July 2, 1940—re Application, previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

CAL. NO. 456-40-BZ—Application, April 29, 1940, under sections 7a, 7c, 7e and 21 of the building zone resolution, of William Shary, applicant, on behalf of City Bank Farmers Trust Company, trustee, under will of Thomas Dimond, owner, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 295-40-BZ—Application, March 21, 1940, under section 7c of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the maintenance of business use

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(restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 514-40-BZ—Application, May 14, 1940, under sections 21, 7b and 7c of the building zone resolution, of Salomon A. Hauptman, applicant, on behalf of Estate of Giuseppe Giambalvo, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 570 Bushwick avenue and 921-931 Wiloughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

CAL. NO. 18-40-BZ—Application, January 6, 1940, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Margaret Murgolo, owner, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

Appeal from Administrative Decision.

56-40-A—184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

97-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

96-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lefterts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer,

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applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 574-40-BZ—Application, May 27, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Giuseppe Proscia, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn.

CAL. NO. 2-40-BZ—Application, January 2, 1940, under section 7h of the building zone resolution, of Kollsman Instrument Company, Inc., applicant and lessee, on behalf of Palotto Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises south side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens.

CAL. NO. 532-40-BZ—Application, May 17, 1940, under section 7h of the building zone resolution, of Benjamin M. Sylvan, applicant, on behalf of Hylda Kaufman and Sadie Rosenberg, owners, to permit in a busi-

ness use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 988 Forest avenue, east side, 168.65 ft. south of East 165th street and 991-1001 Tinton avenue (Block No. 2659, Lot No. 20), Borough of The Bronx.

CAL. NO. 194-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution, of Helen Lulves, applicant and owner, to permit in a residence use district, the conversion of occupancy of an existing dwelling to business use (undertaking establishment); premises 4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx.

CAL. NO. 302-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Ferdinand Savignano, applicant, on behalf of Joseph Molina, owner, to permit in a business use district, the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill; premises 1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian owner, reopened January 3, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1011 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4071 Broadway, southeast corner of Wes-

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172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

- 354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.
- 502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.
- 618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.
- 737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.
- 750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.
- 783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.
- 704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.
- 784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.
- 794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

OCTOBER 1, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 1, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Cliffdodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block

No. 1449, Lot No. 43), Borough of Brooklyn.

- CAL. NO. 1183-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Josephine Mauriello, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Mosholu parkway, north (Block No. 3331, Lot No. 73), Borough of The Bronx.

- CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

- CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65 to 67, inclusive), Borough of The Bronx.

- CAL. NO. 88-40-BZ—Application of John J. Beatty, applicant, on behalf of May E. Campbell, owner, reopened September 10, 1940, re amendment of resolution—re application, previously granted on condition, under section 7g of the building zone resolution, permitting in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for more than five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

- CAL. NO. 393-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of The Mortgage Corporation of New York, applicant and owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Julien L. Bartelstone (doing business as Pilgrim Refrigerator Company), lessees, to per-

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mit in a residence use district, the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and the manufacture of signs; premises 45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

Appeal from Administrative Decision.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 1, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station;

premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, SEPTEMBER 10, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, June 25, 1940 and the minutes of the regular meeting of the Board held Tuesday afternoon June 25, 1940, were approved as printed in Bulletin No. 27, Vol. 25.

MINUTES

The minutes of the regular meeting held on Tuesday morning, July 2, 1940 and the minutes of the regular meeting of Tuesday afternoon, July 2, 1940, were approved as printed in Bulletin No. 28, Vol. 25.

The minutes of the regular meeting held on Tuesday morning, July 9, 1940, the minutes of the regular meeting held on Tuesday afternoon, July 9, 1940 and the minutes of the special meeting held on Friday morning, July 12, 1940, were approved as printed in Bulletin No. 29, Vol. 25.

The minutes of the regular meeting held on Tuesday morning, July 16, 1940; the minutes of the regular meeting held on Tuesday afternoon, July 16, 1940 and the minutes of the special meeting held Friday morning, July 19, 1940, were approved as printed in Bulletins Nos. 30 and 31, Vol. 25.

The minutes of the special meeting held on Friday afternoon, August 2, 1940, were approved as printed in Bulletin No. 32, Vol. 25.

BUILDING ZONE CASES.

192-29-BZ.

APPLICANT—H. A. Mugler, for Veronica Kambourian, owner.

SUBJECT—Application reopened January 3, 1940 (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the reconstruction and extension of a gasoline service station (previously granted by the Board).

PREMISES AFFECTED—58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10, and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: H. A. Mugler.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., to permit notices to be sent out, not later than September 13th.

51-40-BZ.

APPLICANT—William F. Regan, for William F. Regan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan and Joseph T. Kearney.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., on request of applicant.

0-40-BZ.

APPLICANT—Lama and Proskauer, for William Cohn, owner (Jacob Newmark, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama, Jacob Newmark, William Cohn, Nathan Cosel, and Samuel R. Rosenberg.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Laid over to September 24, 1940, at 10 A.M., without further argument, for inspection by a committee of the Board and decision by the Board.

514-40-BZ.

APPLICANT—Salomon A. Hauptman, for Estate of Giuseppe Giambalvo, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 21, 7b and 7c of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use.

PREMISES AFFECTED—670 Bushwick avenue and 921-931 Willoughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Hauptman.

ACTION OF BOARD—Laid over to September 17, 1940, at 10 A.M., on request of applicant's representative.

80-40-BZ.

APPLICANT—William F. Regan, for Dot Mort Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2900-2926 Olinville avenue and 678 Wilgus street, southeast corner and 679 Arnow avenue (Block No. 4542, Lot Nos. 7 and 14), Borough of The Bronx.

APPEARANCES—

For Applicant: William F. Regan.

ACTION OF BOARD—Application withdrawn by applicant, without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief McCarthy

Negative

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0

137-40-BZ.

APPLICANT—Joseph B. Lynch, for Hill Holding Corporation, owner (Crescent Auto Service, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension in area of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens.

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APPEARANCES—

For Applicant: Joseph B. Lynch.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(137-40-BZ)

WHEREAS, Joseph B. Lynch, for Hill Holding Corporation, owner, filed on February 2, 1940, an application under section 7c of the building zone resolution, to permit, partly in a business use and partly in a residence use district, the extension in area of an accessory building on an existing gasoline service station; premises 148-26 to 148-30 Hillside avenue, south side, 103.25 ft. east of 148th street (Block No. 9694, Lot No. 17), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business use district; 88th avenue, 148th street and 150th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 10, 1940, Alteration Applic. No. 843-39, reads:

"The extension of this building as an enclosure or a grease pit used in conjunction with an existing gasoline service station in a business district and extending into a residence district is contrary to Art. 2, Sec. 3 and 4 and 6 of the Building Zone Resolution.

Not further considered. Reconsideration denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 138 ft. The rear portion of the plot extends into the residence use district for a distance of 38 ft. Upon the rear of the plot there are located 8 individual garages and at the rear of the office there is another individual garage. It is proposed to maintain the use of 8 of these garages; to alter and extend the existing accessory building, and to relocate the pumps on the existing gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the building zone resolution, to permit the reconstruction and rearrangement of the existing legal gasoline service station.

Resolved, that the Board of Standards and Appeals does here *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-c thereof, to permit the alteration and rearrangement of the legally existing gasoline service station substantially as indicated on plans filed herein, *on condition* that the existing building shall be remodeled with a new front, as indicated, and that the accessory building shall be substantially of the design as indicated on plans filed marked "Received February 21, 1940"; that the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, and provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that no closure doors shall be installed in the greasing section unless ventilation of the greasing pits is provided, consisting of ducts through the roof and a fan having a spark-proof motor; that no windows or other openings shall be constructed to the adjoining property to the west; that there shall be erected on the side lot lines

continuously from the front to the existing 8-car garages in the rear, a substantial wooden fence not less than 4 feet in height, mounted on a concrete curb not less than 12 inches in height; that all buildings other than those shown to remain shall be removed and the entire plot shall be leveled substantially to the grade of Hillside avenue and that the front portion between the accessory building and Hillside avenue shall be cement paved; that the balance of the open portion of the premises shall be cement paved or surfaced with steam cinders, properly rolled and bound; that any gasoline pumps erected shall not be nearer than 10 feet to the street line of Hillside avenue; that curb cuts shall not exceed two not over 30 feet in width each, and no curb cuts shall be nearer than 5 feet to either side lot line as extended; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the gasoline pumps, excluding all roof and temporary signs, but permitting the erection within the building line of a post standard to support a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; that any existing signs attached to the adjoining building shall be removed; that there shall be no motor vehicle repairing on the premises and there shall be no parking of cars other than those being serviced, except that the legally permitted 8 garages in the rear shall be continued; that there shall be no opening in the side lot lines through the fence to the adjoining premises; that no portable gasoline pumps shall be used on or from the premises; that the sidewalk shall be laid new and curbs restored except for the curb cuts herein permitted; that the existing street hydrant shall be removed easterly so as to be not nearer than 3 ft. to any portion of the entrance; that all permits required shall be obtained and all work completed within one year from the date of this action.

210-40-BZ.

APPLICANT—John D. Connaughton, for Cristina Pelizzari, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store).

PREMISES AFFECTED—609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Connaughton.
For Opposition: Joseph Naclerio.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Assistant Chief McCarthy.... 1
Negative: Chairman Murdock, Commissioners Savage and Blum..... 3

THE RESOLUTION—

(210-40-BZ)

WHEREAS, John D. Connaughton, for Cristina Pelizzari, owner, filed on February 27, 1940, an application, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the basement story of an existing dwelling to business use (store); premises 609 Thwaites place, north side, 37.05 ft. west of Olinville avenue (Block No. 4342, Lot No. 47), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 10, 1940, after due notice by publication in the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that White Plains avenue is in a business and residence use district; Thwaites place, Olin

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ville avenue and Pelham Parkway are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings on L & V Application No. 828-39, dated February 21, 1940, reads:

"A-1—Proposed store in basement is unlawful. Premises is in a residential district and business use is not permissible under Section 3 of the Zone Resolution."

and
WHEREAS, the existing building is non-fireproof construction with a frontage of 24 ft. 6 in. and a depth of 60 ft., two (2) stories and basement in height; it is proposed to alter and to convert the occupancy of part of the basement story of the existing three (3) family dwelling from residence to business use (store); and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on L & V Application No. 828-39 be and it hereby is affirmed and that the application be and it hereby is denied.

APPEAL FROM ADMINISTRATIVE DECISION. 554-40-A.

APPLICANT—Lama and Proskauer, for Margaret Di Gioia, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2146 Gerritsen avenue, west side, 280 ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to October 8th, 1940, at 10 A.M., for applicant to produce copies of deeds pertaining to property involved.

Adjourned, 12:00 M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING. TUESDAY AFTERNOON, SEPTEMBER 10, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

52-29-BZ.

APPLICANT—Robertson Trowbridge, owner (Frank Cardano, lessee).

SUBJECT—Application for consideration — reopening under new proposal re (decision of the borough superintendent of buildings) under sections 7b and 7f of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the parking and storage of more than five (5) motor vehicles; previously withdrawn re erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—8801-8809 Fourth avenue and 402-412 88th street, southeast corner (Block No. 6065, Lot Nos. 6, 9 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis S. Adler.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4
Negative 0

182-30-BZ.

APPLICANT—Marshall and Marshall, for Jennie MacDonald, owner.

SUBJECT—Application for consideration — reopening and rehearing on alleged new facts re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; previously denied.

PREMISES AFFECTED—8918-8932 Fourth avenue, northwest corner of 90th street (Block No. 6064B, Lot No. 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: George A. Marshall.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4
Negative 0

438-39-BZ.

APPLICANT—Lama and Proskauer, for Fannie Wolf, owner.

SUBJECT—Application for consideration — reopening and restoration to calendar, under section 7f re Application (decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

FOR Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant

Chief McCarthy 4
Negative 0

1422-39-BZ.

APPLICANT—Lama and Proskauer, for J and P Development Corporation, owner.

SUBJECT—Application for consideration — reopening and restoration to calendar — re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry and office; previously withdrawn.

PREMISES AFFECTED—133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old

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South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

88-40-BZ.

APPLICANT—John J. Beatty, for May E. Campbell, owner.

SUBJECT—Application for consideration — reopening and amendment of resolution — re Application (decision of the borough superintendent of buildings) under sections 7a and 7g of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles and also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles.

PREMISES AFFECTED—1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Application reopened, subject to usual procedure and set for hearing October 1, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

347-40-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Bowery Savings Bank and Estate of Elizabeth A. Murtagh (Peter C. Murtagh, trustee), owners.

SUBJECT—Application for consideration — reopening and rehearing on new proposal re Application (decision of the acting borough superintendent of buildings) under sections 7g and 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; previously denied.

PREMISES AFFECTED—479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28 inclusive and 47 to 53 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry J. Williams and G. J. McNamara.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

1043-39-BZ.

APPLICANT—Lama and Proskauer, for 440 East 102nd Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

1261-39-BZ.

APPLICANT—Theodore R. Feinberg, for Pure Oil Company, owner, (S. & R. Service Station, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles in conjunction with an existing gasoline service station.

PREMISES AFFECTED—2701 Fort Hamilton parkway, northwest corner of Prospect avenue (Block No. 5284, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

1382-39-BZ.

APPLICANT—Lama and Proskauer, for East River Savings Bank, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—119-125 West 96th street, north side, 325 ft. west of Columbus avenue (Block No. 1851, Lot Nos. 16 to 19 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

649-40-BZ.

APPLICANT—Charles B. Ferris, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the acting bor-

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ough superintendent of buildings) under section 21 of the building zone resolution to permit in a retail use district, the extension of a factory occupancy, in an existing building, in excess of the allowable area.

PREMISES AFFECTED—45-47 West 38th street, north side, 270 ft. east of Sixth avenue (Block No. 840, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto L. Kelm.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

680-40-BZ.

APPLICANT—Philip Birnbaum, for Century Builders, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling, having a garage for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only.

PREMISES AFFECTED—650 Victory boulevard, northeast corner of Eddy street (Block No. 589, Lot No. 35), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

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301-22-BZ.

APPLICANT—E. J. McGrew, Deputy Commissioner, for Department of Public Works, City of New York, owner.

SUBJECT—Application for consideration — reopening and amendment of resolution — re Application (decision of the superintendent of buildings), previously granted on condition under section 7g of the building zone resolution, permitting in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles for Department of Sanitation.

PREMISES AFFECTED—5608-5624 19th avenue, north side, 307 ft. 6 in. west of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. J. Daidone and C. A. Var-rall.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

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0

THE RESOLUTION—

(301-22-BZ)

WHEREAS, this application, affecting premises 5608-5624 19th avenue, north side, 307 ft. 6 in. west of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn, to permit in a residence use district the erection and maintenance of a housing station for D. S. C. was granted by the Board April 25, 1922, on certain conditions; and

WHEREAS, the Department of Public Works, for the City of New York, owner, requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on April 25, 1922, by adding thereto:

"that in the event it is desired to construct a new chimney in connection with a low pressure heating plant for this building and the building adjoining, variance for which was permitted by the Board under Cal. No. 341-37-BZ, such chimney may be constructed substantially in accordance with the design indicated on plan marked 'Received August 6, 1940,' as filed with the Building Department on Alt. Applic. 3362-40."

500-28-BZ.

APPLICANT—Charles Zenker, owner.

SUBJECT—Application for consideration — reopening and extension of time — re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

THE RESOLUTION—

(500-28-BZ)

WHEREAS, this application affecting premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx, to permit in a business use district the erection and maintenance of a garage for the storage of more than five motor vehicles was granted by the Board May 14, 1929, but was never erected; and

WHEREAS, William Shary, for Charles Zenker, present owner, requested a reopening of this application to permit partly in a business district and partly in an unrestricted district, the erection and maintenance of a gasoline service station; and the case was reopened by vote of the Board October 20, 1934; and

WHEREAS, this application was granted by the Board January 22, 1935, on certain conditions, time extended to complete work September 22, 1937, September 13, 1938, and July 18, 1939, and owner requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on January 22, 1935, only so far as it has reference to completion of work, so that as amended that portion of the resolution shall read:

"that the time in which to complete the work shall be

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extended one year from the date of this *amended resolution*;"

315-33-BZ.

APPLICANT—Charles M. Spindler, for Mary A. Klass, owner.

SUBJECT—Application for consideration — reopening and amendment of resolution re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: James Haus.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

(315-33-BZ)

WHEREAS, this application affecting premises southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens, was granted by the Board March 13, 1934, on certain conditions, time extended April 23, 1935, September 24, 1935, April 28, 1936 and February 23, 1937, and the owner requested an amendment of the resolution as to frontage on Astoria boulevard.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on March 13, 1934, only so far as it refers to the description of the property and the amount of frontage on Astoria boulevard, so that as amended this portion of the preamble to the resolution shall read:

"Whereas, the premises consist of a plot of ground having a frontage of 106.35 feet on Astoria boulevard. . . ."

158-36-BZ.

APPLICANT—Gustave Lindell, for Kew Club Realty Corporation, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking and storage of more than five motor vehicles, for a temporary period of not more than two (2) years.

PREMISES AFFECTED—83-26 Austin street, south side, 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Frances Finkelhorn.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

(158-36-BZ)

WHEREAS, Gustave Lindell, for Kew Club Realty Corporation, owner, filed, May 29, 1936, an application under section 7h of the building zone resolution to permit in a business use

district the storage and parking of more than five (5) motor vehicles; premises: 83-26 Austin street, south side, 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens; and

WHEREAS, this application was granted by the Board November 24, 1936, on certain conditions, permit extended September 27, 1938 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 24, 1936, as amended by resolution adopted by the Board on September 27, 1938, only so far as it has reference to term of permit, so that as amended that portion of the resolution shall read:

"granted, under section 7, subdivision h, for a term of two (2) years, from the date of this *amended resolution*."

174-36-BZ.

APPLICANT—Kim Parking Stations, Inc., lessees, for New York Clothing Cutters Centre, Inc., owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Emanuel Rosenstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(174-36-BZ)

WHEREAS, this application, affecting premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28) Borough of Manhattan, was granted by the Board July 14, 1936, for a period of two years under certain conditions, permit extended October 11, 1938, and the owner requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 14, 1936, only so far as it has reference to term of permit so that as amended that portion of resolution shall read:

". . . granted, under section 7, subdivision h, for a term of two (2) years from the date of this *amended resolution*."

320-37-BZ.

APPLICANT—R. G. and W. M. Cory, for Bronxville Realty Corporation, owner.

SUBJECT—Application for consideration — reopening and extension of time — re Application (decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, permitting in a business use district, the extension in height of an existing factory building.

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Block No. 4864, part of Lot No. 35), (Building No. 2), Borough of The Bronx.

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APPEARANCES—

For Applicant: Walter M. Cory.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(320-37-BZ)

WHEREAS, this application affecting premises 901 East 228th street, east side of Bronxwood avenue between East 228th street and East 229th street (Building No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx, was granted by the Board October 19, 1937, on certain conditions, time extended October 4, 1938 and October 10, 1939, and applicant requested a further extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 19, 1937, only so far as it refers to the time within which to complete work, so that as amended that portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one year from the date of this amended resolution."

448-37-BZ.

APPLICANT—Theodore R. Feinberg, for 460 Eighth Avenue Corporation, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the borough superintendent of buildings under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—255 West 33rd street, north side, 200 ft. east of Eighth avenue (Block No. 783, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(448-37-BZ)

WHEREAS, this application under section 7h of the building zone resolution, to permit for a temporary period of two years in a retail use district, the parking and storage of more than five (5) motor vehicles; premises 255 West 33rd street, north side, 200 ft. east of Eighth avenue (Block No. 783, Lot No. 11), Borough of Manhattan, was granted by the Board June 1, 1938, on certain conditions; and

WHEREAS, the owner requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on June 1, 1938, only so far as it has reference to the term of the permit, so that as amended, that portion of the resolution shall read:

"granted under section 7h for a term of two years from the date of this amended resolution."

595-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Park-

ing Company, Inc., lessee, Eleanor Hedwig Arnold, Sicko Realty Corporation and L. K. F. Realty Co., Inc., owners.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 896, Lot Nos. 42, 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(595-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 896, Lot Nos. 42 and 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens, was granted by the Board November 9, 1938, on certain conditions, and the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the Board on November 9, 1938, only so far as it has reference to term of the permit, so that as amended that portion of the resolution shall read:

"granted, under section 7, subdivision h, for a term of two (2) years from the date of this amended resolution."

29-38-BZ.

APPLICANT—Theodore R. Feinberg, for Hotels Statler Company, Inc., owner.

SUBJECT—Application for consideration — reopening and extension of permit re — Application (decision of the borough superintendent of buildings, under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—251-253 West 33rd street, north side, 225 ft. east of Eighth avenue and 250 West 34th street (Block No. 783, Lot Nos. 12, 13 and 72), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

MINUTES

THE RESOLUTION—

(29-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 251-253 West 33rd street, north side, 225 ft. east of Eighth avenue, and 250 West 34th street (Block No. 783, Lot Nos. 12, 13 and 72), Borough of Manhattan, was granted by the Board June 1, 1938, on certain conditions, the resolution amended March 7, 1939, and applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 1, 1938, as amended March 7, 1939, only so far as it has reference to the term of the permit, so that as amended that portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this amended resolution."

100-38-BZ.

APPLICANT—J. Jacques Stone, for Three Eighty-Three Realty Corporation, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—11-17 West 35th street, north side, 200 ft. west of Fifth avenue and 12-14 West 36th street, south side, 219 ft. west of Fifth avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: J. J. Stone.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(100-38-BZ)

WHEREAS, this application, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 11-17 West 35th street, north side, 200 ft. west of Fifth avenue, and 12-14 West 36th street, south side, 219 ft. west of Fifth avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 55), Borough of Manhattan, was granted by the Board September 27, 1938, on certain conditions, and the owner requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on September 27, 1938, only so far as it has reference to term of permit, so that as amended that portion of resolution shall read:

"granted, under section 7, subdivision h, for a term of two (2) years from the date of this amended resolution."

127-38-BZ.

APPLICANT—James Russell Ashley, for Elmtree Realty Company, owner.

SUBJECT—Application for consideration — reopening and extension of permit — re Application (decision of the acting borough superintendent of

buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of eight (8) buildings to be occupied by garage for forty (40) automobiles for a temporary period.

PREMISES AFFECTED—195-201 West 237th street, northeast corner of Broadway (Block No. 3270, Lot No. 40), Borough of The Bronx.

APPEARANCES—

For Applicant: James Russell Ashley.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(127-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 195-201 West 237th street, northeast corner of Broadway (Block No. 3270, Lot No. 40), Borough of The Bronx, was granted by the Board May 24, 1938, on certain conditions, and the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 24, 1938, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7h for a temporary term of two (2) years from the date of this amended resolution."

583-38-BZ.

APPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration — reopening and extension of permit re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(583-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit, partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan, was granted by the Board November 9, 1938, on certain conditions, and the applicant requests an extension of the temporary period.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on November 9, 1938, only so far as it has reference to term of permit, so that as amended that portion of the resolution shall read:

"*granted* under section 7, subdivision h, for a term of two (2) years from November 9, 1940; *further*, that an entrance on West 56th street, in addition to the opening hereinbefore provided for, shall be constructed for a width of not over 15 ft., with curb cut opposite of similar width, provided the width between the existing entrance and proposed entrance shall be not less than 10 ft., substantially as indicated on plan marked 'Received August 12, 1940'; that the existing building may be of frame construction."

1044-38-BZ.

APPLICANT—Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corporation, lessee, Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Company, Incorporated, owners.

SUBJECT—Application for consideration — reopening and amendment of resolution re additional exit — re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herbert H. Pensig and Charles Bender.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy ..	4
Negative ..	0

THE RESOLUTION—

(1044-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn, was granted by the Board September 26, 1939, on certain conditions, and the applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on September 26, 1939, by adding thereto:

"that an additional opening on Bond street, approximately midway of the depth of the parking lot, can be provided, *on condition* that it shall not exceed 18 ft., used solely for entrance and not for exit; that a sign, advertising the parking use, can be installed at this entrance, in accordance with the requirements of this resolution; that such sign shall state: 'This shall be used for entrance only', and that a sign reading 'No Exit' shall be placed on inner side of the opening."

22-39-BZ.

APPLICANT—Lama and Proskauer, for Bonded Lien Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy ..	4
Negative ..	0

THE RESOLUTION—

(422-39-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn, was granted by the Board January 3, 1940, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on January 3, 1940, only so far as it has reference to obtaining permits and completion of work, so that as amended that portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within three (3) months from the date of this *amended resolution*."

APPEALS FROM ADMINISTRATIVE DECISIONS.

614-40-A.

APPLICANT—Nathan Fishman, for Wikon Realty Corporation, owner (Fishman Brothers, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Fishman, Eugene A. Walsh and Samuel F. Berkon.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., for inspection by a committee of the Board and decision without further argument.

635-40-A.

APPLICANT—Oscar Wiseman (lessee), for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham D. Wiseman and Eugene A. Walsh.

For Administration: Inspector Meyer, Fire Department.

MINUTES

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., for inspection by a committee of the Board and decision without further argument.

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel F. Berkon, Eugene A. Walsh and Samuel Brenker.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 17, 1940, at 2 P.M., for inspection by a committee of the Board and decision without further argument.

314-34-A.

APPLICANT—C. C. Handy, for New York Central System, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—South side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Wilson.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(314-34-A)

WHEREAS, this appeal, affecting premises south side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan, was granted by the Board December 18, 1934, for a temporary period of two years, on certain conditions, the period extended January 5, 1937, and October 11, 1938, and applicant requests a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on December 18, 1934, only so far as it has reference to term of permit, so that as amended that portion of resolution shall read:

"granted under section 7, subdivision h, for a term of two (2) years from October 11, 1940."

780-39-A.

APPLICANT—Ernest L. Pruden, for Joseph Siligman, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3911 Second avenue, east side, 75.2 ft. south of 39th street (Block No. 707, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ernest L. Pruden.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(780-39-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 3911 Second avenue, east side, 75.2 ft. south of 39th street (Block No. 707, Lot No. 6), Borough of Brooklyn, was granted by the Board July 5, 1939, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on July 5, 1939, so that as amended the resolution shall read:

"that the two windows and door opening into the basement from Second avenue shall be maintained and that an aisle from front to rear opposite the entrance door shall be maintained with an aisle at right angles midway, so that in the event of fire the use of hose shall not be impeded; that the cork shall not be stored within 18 in. of the underside of floor beams."

VARIATION OF THE LABOR LAW.

396-40-S.

APPLICANT—Charles B. Ferris, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—45-47 West 38th street, north side, 270 ft. east of Sixth avenue (Block No. 840, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto L. Kelm.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

APPLIANCES SUBMITTED FOR APPROVAL.

165-35-SA.

APPLICANT—Serv-Well Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional name "Rex"—re Serv-Well Range Burner, Models 27B and 27T, previously approved.

APPEARANCES—

For Applicant: David Berke.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(165-35-SA)

WHEREAS, Benjamin Wetstone, for Serv-Well Burner Corporation, owner, filed June 20, 1935, an application with the Board of Standards and Appeals for approval of the appliance known as the Serv-Well Range Oil Burner, Models 27B and 27T; and

WHEREAS, this appliance was approved by the Board October 29, 1935, and the owner requested an amendment of the resolution so as to permit the marketing of the appliance under the name of "Rex Range Burner, Models 27B and 27T."

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on October 29, 1935, by adding thereto:

"this appliance may be marketed under the name of 'Rex Range Burner, Models 27B and 27T', *on condition* that under whichever name marketed, this resolution shall be complied with."

166-35-SA.

APPLICANT—Serv-Well Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional name "Rex"—re Serv-Well Space Heater, Models 247T and 248, previously approved.

APPEARANCES—

For Applicant: David Berke.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(166-35-SA)

WHEREAS, Benjamin Wetstone, for Serv-Well Burner Corporation, owner, filed June 20, 1935, an application with the Board of Standards and Appeals for approval of the appliance known as the Serv-Well Space Heater, Models 247T and 248; and

WHEREAS, this appliance was approved by the Board October 29, 1935, and the owner requested an amendment of the resolution so as to permit the marketing of the appliance under the name of "Rex Space Heater, Models 247T and 248."

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on October 29, 1935, by adding thereto:

"this appliance may be marketed under the name of 'Rex Space Heater, Models 247T and 248', *on condition* that under whichever name marketed, this resolution shall be complied with."

167-35-SA.

APPLICANT—Serv-Well Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional name "Rex"—re Serv-Well Water Heater, Models 255A and 255B, previously approved.

APPEARANCES—

For Applicant: David Berke.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(167-35-SA)

WHEREAS, Benjamin Wetstone, for Serv-Well Burner Corporation, owner, filed June 20, 1935, an application with the Board of Standards and Appeals for approval of the appliance known as the Serv-Well Water Heater, Models 255A and 255B; and

WHEREAS, this appliance was approved by the Board October 29, 1935, and the owner requested an amendment of the resolution so as to permit the marketing of the appliance

under the name of "Rex Water Heater, Models 255A and 255B."

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on October 29, 1935, by adding thereto:

"this appliance may be marketed under the name of 'Rex Water Heater, Models 255A and 255B', *on condition* that under whichever name marketed, this resolution shall be complied with."

493-38-SA.

APPLICANT—Prentiss Weber Products Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional models, Standard Models 958P, 960P, 963 and DeLuxe Models 970P and 973P—re Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906P, 907P, 300P, 918P, 920P, 930P and 933P, previously approved.

APPEARANCES—

For Applicant: Jean R. Darche.

ACTION OF BOARD—Application reopened and referred to engineer for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

MATERIAL SUBMITTED FOR APPROVAL.

707-40-SM.

APPLICANT—W. S. Tyler Company, owner.

SUBJECT—Tyler One and One-Half Hour Hollow Metal Fire Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(707-40-SM)

WHEREAS, W. S. Tyler Company, owner, filed June 28, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Tyler One and One-Half Hour Hollow Metal Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 4, 1940.

Re: Cal. No. 707-40-SM.

Subject: Tyler One and One-Half Hour Hollow Metal Fire Door, approval of.

The W. S. Tyler Company, of Cleveland, Ohio, filed June 28, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Tyler One and One-Half Hour Hollow Metal Fire Door under the provisions of C26-610.0 (10.1.18), C26-660 (10.8.1), C26-661.0 (10.8.2), C26-662.0 (10.8.3), and C26-663.0 (10.8.4), Administrative Building Code.

The test door (Fig. 1) was constructed at the plant of the applicant in Cleveland, Ohio, and was a full sized door assembly consisting of a flush type door 2 ft. 8 in. wide, 6 ft. 11¼ in. high and 1¼ in. thick, hung in a pressed steel frame, which was set in the masonry wall of the furnace door. The test door was made up of two sheets of No. 18 gauge patent leveled cold-rolled steel

MINUTES

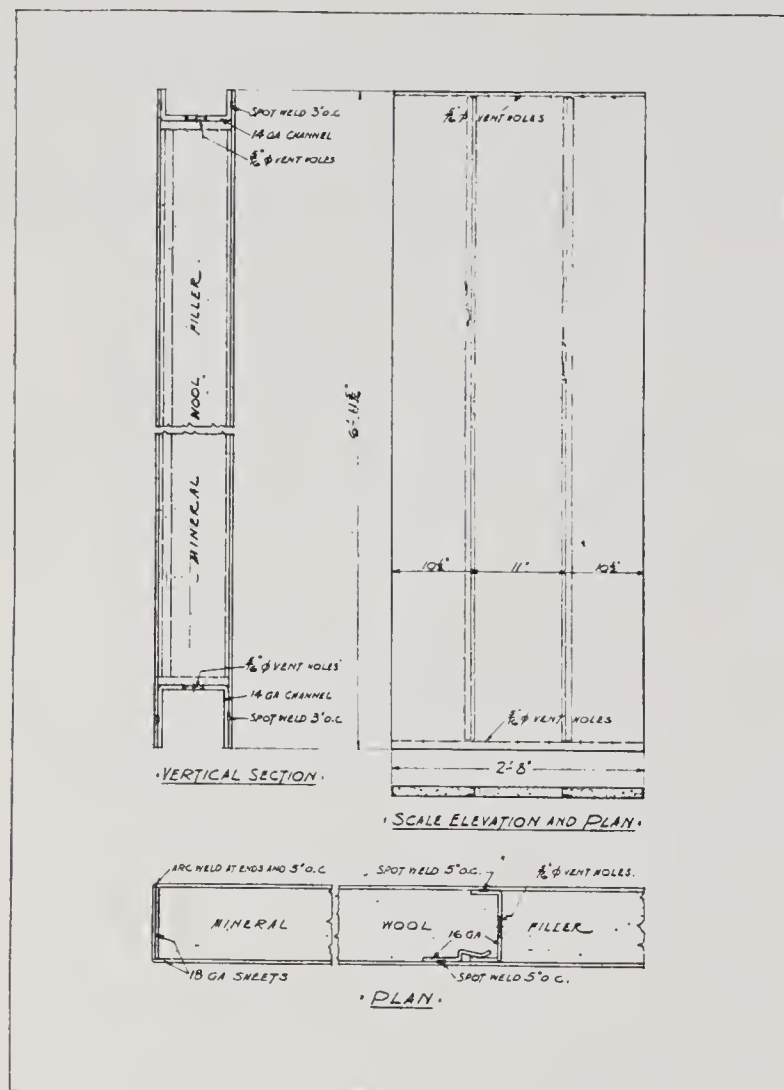


Fig. 1

sheets, framed along the side edges to lap and integrally welded at ends with arc welds at maximum intervals of 5 in. o.c. The top and bottom of the door were closed with No. 14 gauge cold-rolled steel channels, spot welded to both face sheets 3 in. o.c. The panel was stiffened with two intermediate steel channels of No. 16 U. S. gauge, spot welded on the fire side face at intervals of 5 in. o.c. and engaging No. 16 gauge interlocking strips on the unexposed side, also spot welded at intervals of 5 in. o.c. The stiffener diaphragm were spaced 10½ in. from each side of the door. For insulation the panel was solidly filled with 1½ in. mineral wool installed in sheets and lap jointed at horizontal intersections. For ventilation the top and bottom closure channels and the diaphragm separators were pierced with 5/16 in. holes 4 in. o.c. The door was hung in a Rixon Spring Hinge set with the spring box flush with the saddle and a plain pivot at the top of the door. A cylindrical lug was built into the hinge edge of the door at mid-height to engage a round hole in the side of the jamb so as to afford lateral support for the door at a point approximately opposite the latch. The door was provided with a Corbin Knob latch, set at 3 ft. 2 in. above the saddle. The clearance between the frame and the latch edge of the door was 1/16 in. at and near the latch and 3/32 in. above and below; at the hinge edge it was a scant 3/32 in.; at top from 3/32 in. to 1/8 in., and at bottom 7/32 in.

The test was conducted July 18, 1940, at the Protexol Testing Laboratory at Kenilworth, New Jersey (Report No. 101, filed herewith) under the supervision of Mr. Rollin C. Bastress, director of the laboratory, and in accordance with the requirements of Group 5, Sub. Art. 1 of Art. 10, Administrative Code, entitled "Fire Resistant Construction". A committee of the Board consisting of Chairman Harris H. Murdock, Hugh P. Fox and John F. Fitzsimons witnessed the test, which was in

conformity with the standard time-temperature curve, and was maintained within the 5 per cent. area tolerance for the one and one-half hour period. Actual variation was 0.08 per cent, under the standard curve. The average rise of temperature at the end of three-quarters of an hour was 442 degrees Fahrenheit on the unexposed side. During the test there was no passage of smoke or flame through or around the door in many significant amount. At the end of the hour and one-half the door was subjected to the standard hose stream test which was without effect on the structural stability of the assembly. The door was then freed from the latch and swung open for final deflection measurement. The latch edge of the door was concave on the fire side to the extent of 15/8 in. away from a line between top and bottom corners.

On the basis of this test and the requirements of C26-610 (10.1.18), Administrative Building Code, the Committee recommends the approval of the Tyler One and One-Half Hour Hollow Metal Fire Door (Fig. 1) as having the requirements for a rating of one and one-half hours, for use as a protection in fire partitions (one and one-half hours), under section C26-661.0 (10.8.2), as a protective opening in fireproof partitions (three-quarters hour) under section C26-662.0 (10.8.3), as a protection of openings in interior shafts (one hour) under section C26-663.0 (10.8.4), Administrative Building Code, and as a fireproof door (one hour) under the Multiple Dwelling Law and the Labor Law, when constructed and hung strictly in accordance with the following specifications (See Drawing 66—July 11, 1940):

Construction—Same as test door. The maximum center interval between the stiffener diaphragms is not to exceed 12 in.

Insulation and Ventilation—Same as test door.

Hardware and Reinforcing—Doors are hung on Rixon No. 20 self-checking floor hinge with steel pivots top and bottom and an intermediate ½ in. stud in the door on the hinge side with suitable reinforcing plates welded to top and bottom closure channels and to hinge jamb of door. A Corbin Knob Latch No. 90¾ with steel bolt is provided in the lock jamb of the door, enclosed in No. 18 gauge steel housing with asbestos packing. Cut-outs are provided for hinges and locks to template, with reinforcing plates 3/16 in. thick properly drilled and topped and welded in place at all hinge cut-outs, and reinforcing plates of No. 14 U. S. gauge steel of suitable size welded in place at lock cut-outs. Doors with hangers are provided with 3/8 in. thick reinforcing bar, welded inside of top closure channel the full width of the door, drilled and tapped to suit the hanger bolts.

Door Frames—Doors are hung in No. 16 U. S. gauge or heavier steel combination buck and trim, complete with hardware reinforcing for hinges and lockset welded to the jamb portions. Hinge reinforcements are not less than 3/16 in. thick and lock reinforcements 0.104 in. thick. Not less than three steel anchors of the same gauge thickness as the frame are provided on the hinge and strike jambs. Clearance are as follows: top, 3/32 in.; bottom, 7/32 in.; lock jamb, 3/32 in.; hinge jamb, 3/32 in.

It is further recommended that all opening protective assemblies manufactured and labeled under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Tyler One and One-Half Hour Hollow Metal Fire Door, *on condition* that the material be manufactured, installed and labeled in accordance with above report.

Adjourned. 3:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on March 16, 1937, as they appeared in Bulletin No. 12, Vol. 22, are hereby corrected to read as follows:

THE RESOLUTION—

(384-36-SA)

WHEREAS, C. V. Henry, for York Oil Burner Company, Incorporated, owner, filed December 24, 1936, an application with the Board of Standards and Appeals for approval of the device known as the York Bake Oven Oil Burner; and

WHEREAS, the device was submitted to the engineer of the Board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the Board, supplementary to that of the representatives of the Division of Combustibles, was substantially as follows:

"This burner is of the industrial gun type, designed for manual operation, and consists of the following: A special cast brass burner head in which the oil and air are atomized at low pressure; a *York compressor Type OB and a Brown and Sharp fuel pump belt driven from the same motor and all mounted on a common bed-plate.* The oil capacities of the various size nozzles range from ½ to 6 gallons per hour. The compressor supplies the primary air for the atomization of the oil at approximately 2½ pounds.

Ignition—Expanding gas pilot light.

Controls—Mercoid switch and solenoid valve con-

nected to the air and oil line; a Mercoid magnetic gas valve, and Minneapolis Honeywell Protecto-stat type C-57.

The burner was put into normal operation and the air supply shut off on several tests. In each case the Mercoid switch shut down the oil pumps. On several other tests the oil supply was shut off and the Protecto-stat operated and shut down the whole burner unit. During the period of tests there were no flare backs due to faulty ignition and the flame was clean and free of soot and smoke. Examination of the combustion chamber showed no undue carbon deposits.

The above burner was installed in an ordinary type bake oven, and in such installations, as this job is not automatic, it will be necessary that the operator or operators obtain certificates of fitness to supervise the operation of these installations. The burner is designed to burn from 1 to 5 industrial grade fuel oil.

As a result of this inspection and test, it is recommended that the York Bake Oven Burner be approved for commercial and industrial uses when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, for fuel oil not heavier than No. 5 U. S. Dept. of Commerce standards."

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the York Bake Oven Oil Burner for use in commercial and industrial installations when installed in accordance with above report and the Oil Burner Rules of the Board of Standards and Appeals; that all installations shall bear a permanently fixed label reading as follows:

NOTICE

APPROVED BY THE

BOARD OF STANDARDS AND APPEALS

For Use in New York City

Under Cal. No. 384-36-SA.

* Correction—The words "a standard motor and pump set and a York air compressor" deleted in lines 14 and 15 of the resolution and the words in *italics* substituted therefor.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

ANNUAL REPORT

CITY OF NEW YORK BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

MUNICIPAL BUILDING

September 17, 1940.

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to submit to you the Annual Report of the Board of Standards and Appeals for the year 1939. This report is being submitted to you in accordance with the provisions of the Charter, Section 892, and will also be printed in the Bulletin of the Board.

ANNUAL REPORT

CASES FILED AND PENDING 1939

	A	BZ	S	SA	SM	SR	M'L	T'L	GR. T'L
Filed 1939									
JANUARY.....	74	23	1	4	13	0	87	202	..
Restored.....	1	10	0	0	0	0	0	11	213
FEBRUARY.....	75	24	4	10	25	1	64	203	..
Restored.....	3	7	0	1	0	0	0	11	214
MARCH.....	91	35	2	11	20	0	59	218	..
Restored.....	1	5	0	2	0	0	0	8	226
APRIL.....	59	24	4	9	31	0	84	211	..
Restored.....	2	10	1	0	0	0	0	13	224
MAY.....	78	28	3	43	23	1	97	273	..
Restored.....	2	7	0	2	0	0	0	11	284
JUNE.....	71	39	5	17	38	0	62	232	..
Restored.....	2	7	0	0	0	0	0	9	241
JULY.....	73	18	1	7	32	0	64	195	..
Restored.....	4	5	0	2	0	0	0	11	206
AUGUST.....	36	12	1	5	14	0	0	68	..
Restored.....	0	0	0	0	0	0	0	0	68
SEPTEMBER..	56	31	2	3	26	1	90	209	..
Restored.....	2	7	0	3	0	0	0	12	221
OCTOBER.....	66	29	3	5	34	0	89	226	..
Restored.....	2	15	0	1	0	0	0	18	244
NOVEMBER...	59	26	7	3	27	0	89	211	..
Restored.....	3	7	0	0	1	0	0	11	222
DECEMBER...	39	22	0	0	28	0	27	116	..
Restored.....	1	4	0	2	0	0	0	7	123
TOTAL.....	800	395	34	130	312	3	812	2486	2486
PENDING									
Dec. 31, 1938..	78	192	4	115	88	3	0	480	480
GRAND TOTAL	878	587	38	245	400	6	812	2966	2966
DISPOSITION									
1939									
JANUARY.....	87	32	4	14	8	0	87	232	..
FEBRUARY....	73	30	2	9	10	1	64	189	..
MARCH.....	70	24	1	13	15	0	59	182	603
APRIL.....	47	31	4	11	12	0	84	189	..
MAY.....	68	43	3	21	12	1	97	245	..
JUNE.....	64	46	4	8	17	0	62	201	635
JULY.....	164	34	5	13	25	0	64	305	..
AUGUST.....	0	0	0	0	0	0	0	0	..
SEPTEMBER..	25	16	2	1	4	0	90	138	443
OCTOBER.....	102	32	2	3	19	1	89	248	..
NOVEMBER...	58	33	7	8	28	0	89	223	..
DECEMBER....	37	27	1	1	8	0	27	101	572
TOTAL.....	795	348	35	102	158	3	812	2253	2253
PENDING									
Dec. 31, 1939..	83	239	3	143	242	3	0	713	713

Code: A—Appeals from Administrative Decisions. BZ—Applications under Building Zone Resolution. S—Applications for Variations of Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications for Adoption of Rules. M'L—Miscellaneous Docket.

ANNUAL REPORT

SUMMARY

DOCKET

Cases pending December 31, 1938.....	480
Cases filed up to December 31, 1939.....	1552
Restored to Calendar	122
MISCELLANEOUS APPLICATIONS	
Requests to reopen	473
Requests to amend ..	206
Requests to rescind	7
Requests for extension of time ..	65
Requests for extension of permit.....	49
Requests for approval of plans	12
Administrative requests	0
Requests for interpretation	0
Total ..	2966
Disposed of	2253
Cases pending December 31, 1939..	713

DISPOSITION OF CASES

Withdrawn	121
Dismissed	66
Denied	196
Granted	25
Granted on condition	770
Appliances approved	92
Appliances dismissed, disapproved or withdrawn...	10
Materials approved	120
Materials dismissed, disapproved or withdrawn....	38
Rules approved	3
Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS ACTIONS	
Requests to reopen granted	446
Requests to reopen denied	15
Requests to amend granted	206
Requests to amend denied	0
Requests to rescind granted	7
Requests to rescind denied	0
Requests for extension of time granted.....	65
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	49
Requests for extension of permit denied	0
Plans approved	12
Plans disapproved	0
Administrative requests granted	0
Administrative requests denied or withdrawn.....	0
Interpretations	0
Requests withdrawn or dismissed	12
Total	2253

MONEYS RECEIVED

SUBSCRIPTIONS	OCT.	NOV.	DEC.	TOTAL	1st QUAR.	2nd QUAR.	3rd QUAR.	GR. T'L.
To Bulletin	\$102.50	\$75.00	\$80.00	\$257.50	\$255.00	\$287.50	\$170.00	\$ 970.00
Cash Sales	28.05	31.35	29.25	88.65	80.45	114.73	61.42	345.25
Paid to City Treasurer	\$130.55	\$106.35	\$109.25	\$346.15	\$335.45	\$402.23	\$231.42	\$1,315.25

REVIEW FROM 1916

Year	Cases Filed	Restored & M'l Actions	Total to Dis- pose of	Pending Previous Year	Disposed of as Follows:							Total Cases	Pending Dec. 31st
					With- drawn	Dis- missed	Cases Denied	Granted etc.	M'l Actions				
1916	502	32	534	0	39	64	59	204	32	398	136		
1917	2620	35	2655	136	291	154	241	838	35	1559	1232		
1918	1734	160	1894	1232	803	666	418	1009	160	3056	70		
1919	1005	73	1078	70	105	47	271	594	41	1058	90		
1920	793	114	907	90	84	100	233	457	33	907	90		
1921	1720	176	1896	90	102	296	337	827	35	1597	389		
1922	1575	405	1980	389	171	195	262	1025	281	1934	435		
1923	1562	308	1870	435	149	189	193	928	219	1678	627		
1924	1540	415	1955	627	173	194	290	1003	324	1984	598		
1925	1350	335	1685	598	140	129	203	793	275	1540	743		
1926	1147	403	1550	743	193	85	289	864	403	1834	459		
1927	1357	575	1932	459	168	137	261	679	477	1722	669		
1928	988	467	1455	669	230	107	312	585	384	1618	506		
1929	765	508	1273	506	177	62	190	518	440	1387	392		
1930	760	523	1283	392	175	38	215	379	451	1258	417		
1931	623	645	1268	417	103	44	184	471	539	1341	344		
1932	631	641	1272	344	158	22	159	492	524	1355	261		
1933	389	648	1037	261	54	34	144	312	542	1086	212		
1934	368	584	952	212	47	51	162	248	493	1001	163		
1935	365	718	1083	163	40	14	122	305	589	1070	176		
1936	393	683	1076	176	59	18	103	330	563	1073	179		
1937	629	691	1320	179	43	14	120	409	587	1173	326		
1938	1230	720	1950	326	96	19	153	910	618	1796	480		
1939	1552	934	2486	480	121	66	244	1010	812	2253	713		
Total	25598	10793	36391	8994	3721	2745	5165	15190	8857	35678	9707		

JOSEPH J. DOYLE, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises
Name of concern
Building No. Story

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
.....	

WATCHMAN

.....	
.....	

MALE SEARCHER

.....	
-------	-------

FEMALE SEARCHER

.....	
-------	-------

STREET ALARM BOX RUNNER

.....	
-------	-------

FIRE BRIGADE

.....	
.....	
.....	

EXIT GUARDS

.....	Exit.....	.....
.....	".....	
.....	".....	
.....	".....	
.....	".....	
.....	".....	

SQUAD MONITORS

.....	Squad No. 1.....
.....	" " 2.....
.....	" " 3.....
.....	" " 4.....
.....	" " 5.....
.....	" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. When close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire

alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE.
Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES, AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—

The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ¾-inch inside diameter.

5.6 FLAME TEST—

A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

THE LIBRARY OF THE

OCT 8 1940

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains in the order given—
ocket.

Antiorari Order Served on Board.

ourt Decision.

ules Directory.

ne Hearing Calendar.

minutes of Regular Meeting September 17, 1940, at 10 A.M., Affecting Calendar Numbers 335-40-BZ, 528-40-BZ, 124-36-BZ, 415-40-BZ, 120-33-BZ, 18-40-BZ, 295-40-BZ, 456-40-BZ, 514-40-BZ and 556-40-A.

minutes of Regular Meeting September 17, 1940, at 2 P.M., Affecting Calendar Numbers 968-24-BZ, 527-37-BZ, 224-38-BZ, 249-39-BZ, 789-40-BZ, 368-20-BZ, 262-32-BZ, 602-37-BZ, 512-38-BZ, 1421-39-BZ, 696-39-A, 597-39-A, 1517-39-A, 597-40-A, 614-40-A, 635-40-A, 536-40-A, 648-40-A, 765-40-A, 866-40-A, 796-40-A, 797-40-A, 798-40-A, 799-40-A, 813-40-A, 832-40-A, 836-40-A, 840-40-A, 852-40-A, 867-40-A, 868-40-A, 869-40-A, 870-40-A, 871-40-A, 874-40-A, 875-40-A, 897-40-A, 900-40-A, 884-39-A, 577-22-A, 330-37-A, 666-40-S, 263-34-SA, 1224-39-SM, 885-40-SM and 503-40-SM.

oking in Factories, Rules.

ulating Fibre Board Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to September 17, 1940.

Cal. No. Department. Premises Affected.

897-40-A.....H.B.M....424-430 East 19th street, south side, 181.3 ft. west of Avenue "A" (Block No. 950, Lot No. 43), Borough of Manhattan, F.P. 630-40.

898-40-BZ.....H.B.Bx....777 East 182nd street, north side, 89.5 ft. east of Prospect avenue (Block No. 3112, Lot No. 14), Borough of The Bronx,

Decision—re Certificate of
Occupancy.

899-40-A.....H.B.B....188-238 Empire boulevard, south side, 99 ft. 3 in. west of Rogers avenue (Block No. 1314, Lot Nos. 21 and 29), Borough of Brooklyn, Alt. 4229-40.

900-40-A.....H.B.M....342-346 Amsterdam avenue, west side, 25.7 ft. north of West 76th street, and 205 West 76th street (Block No. 1168, Lot Nos. 28, 30, 31 and 32), Borough of Manhattan, Alt. 2620-40.

901-40-A.....H.B.Q.....170-03 to 170-59 Pidgeon Meadow road, north side, between Auburndale lane and Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens, N.B. 5470-40 to N.B. 5484-40, inclusive.

902-40-SM.....Parker Incinerator Hopper Door, manufactured by Parker Manufacturing Company, Material.

903-40-SA.....Kres-Kno Ball Flame Domestic Burner, Models BFM-10, BFM-13, BFTDR, BFF, BFToDR, BFWDR, BFSE, BFER and BFDRP, Appliance.

904-40-SA.....Kres-Kno Ball Flame Pressing Machine Burner, Appliance.

905-40-SA.....Kres-Kno Ball Flame Range Burner, Models BFM-10, BFM-13, BFTDR, BFF,

BFToDR, BFWDR, BFSE, BFER and BFDRP, Appliance.

906-40-A.....H.B.Q.....160-01 Northern boulevard, north east corner of 160th street (Block No. 5280, Lot No. 6), Flushing, Borough of Queens, Alt. 1798-40.

907-40-A.....H.B.Q.....33-34 84th street, west side, 320 ft. south of Northern boulevard (Block No. 1431, Lot No. 22), Jackson Heights, Borough of Queens, Alt. 1749-40.

908-40-SM.....Coyne and Delany Vacuum Breaker No. 50 (for Flush Valve), manufactured by Coyne and Delany Company, Material.

909-40-SM.....Atco Type "S" Metal Covered One Hour Test Door, manufactured by Atlas Fireproof Door Company, Material.

910-40-A.....H.B.Q.....135-60 108th street, west side, between Peconic street and 135th avenue, in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot No. 1 in each block); (Aqueduct Race Track), Aqueduct, Borough of Queens (Under Section 35, General City Law, re Bed of Mapped Street).

911-40-A.....F.D.....5312-5316 Fifth avenue, north side, 50 ft. 2 in. east of 54th street (Block No. 815, Lot Nos. 42, 43 and 44), Borough of Brooklyn, 4104-L.F. and Decision.

912-40-A.....F.D.....1281 Broadway, north side, 229 ft. 3 in. west of Grove street (Block No. 3293, Lot No. 25), Borough of Brooklyn, 4291-L.F. and Decision.

913-40-A.....F.D.....7408-7410 Fifth avenue, west side, 67 ft. 13/4 in. south of 74th street (Block No. 5930, Lot No. 40), Borough of Brooklyn, 4712-L.F. and Decision.

CALENDAR

914-40-A.....H.B.M.....2-6 East 61st street and 795 Fifth avenue, southeast corner (Block No. 1375, Lot No. 67), Borough of Manhattan, Alt. 831-40 and Zone Viol. 114-40.

915-40-BZ....H.B.B.....639-641 Fourth avenue, southeast corner of 19th street (Block No. 637, Lot No. 7), Borough of Brooklyn, Drop Curb Applic. 1498-40.

916-40-A.....H.B.M.....42-48 East 67th street, south side, 140 ft. west of Park avenue (Block No. 1381, Lot Nos. 42½ to 45, inclusive), Borough of Manhattan, Elev. Applic. 328-40.

917-40-A-MD.H.B.Q.....Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens, Amendment to N.B. 5845-39.

918-40-A.....H.B.M.....530 Park avenue, southwest corner of East 61st street (Block No. 1375, Lot Nos. 37 to 41½, inclusive, and parts of Lot Nos. 32, 32½, 33 and 36), Borough of Manhattan, N.B. 26-40.

919-40-BZ....H.B.Q.....74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens, N.B. 6265-40.

920-40-A.....H.B.Q.....42-02 Vernon boulevard, west side, 290.37 ft. north of 43rd avenue (Block No. 484, Lot No. 15), Long Island City, Borough of Queens, Alt. 1595-40.

921-40-A.....H.B.Q.....58-04 to 58-56 189th street, west side, between World's Fair boulevard and 58th avenue and 535 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens, N.B. 5883-40 to N.B. 5896-40, inclusive.

Restored to Calendar.

752-29-BZ....H.B.B.....8801-8809 Fourth avenue and 402-412 88th street, southeast corner (Block No. 6065, Lot Nos. 6, 9 and 11), Borough of Brooklyn, D.C. Applic. 1254-40.

182-30-BZ....H.B.B.....8918-8932 Fourth avenue, northwest corner of 90th street (Block No. 6064B, Lot No. 65), Borough of Brooklyn, Applic. 312-35.

493-38-SA.....Preway Oil Burning Circulating and Radiant Heaters, Standard Models Nos. 958P, 960P and 963P and DeLuxe Models Nos. 970P and 973P, Appliance.

438-39-BZ....H.B.B.....4312 Church avenue, south side, 60 ft. west of Troy avenue (Block No. 4897, Lot No. 7), Borough of Brooklyn, Misc. Applic. 1125-39.

1422-39-BZ....H.B.Q.....133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens, N.B. 5897-39.

88-40-BZ....H.B.B.....1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn, Applic. 3069-39.

347-40-BZ....H.B.M.....479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan, N.B. 212-38.

968-24-BZ....H.B.B.....1922-1932 Kings highway, south side, 47 ft. 8½ in. south of Ocean avenue (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn, Alt. 6525-40.

124-36-BZ....H.B.M.....63-67 West 35th street, north side, 100 ft. east of Sixth ave-

CALENDAR

nue (Block No. 837, Lot No. 6), Borough of Manhattan, Drop Curb Applic. 156-40.

527-37-BZ....H.B.M....144-150 East 43rd street, south side, 100 ft. west of Third avenue, and 670-676 Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45 and parts of Lot Nos. 37, 38, 39 and 40) (rear of lots), Borough of Manhattan,

Decision—re Certificate of Occupancy.

224-38-BZ....H.B.Q.....32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, Lot No. 36), Bayside, Borough of Queens, N.B. 1519-38

249-39-BZ....H.B.Q.....84-11 to 84-21 Astoria boulevard, 24-02 to 24-12 85th street and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens, N.B. 567-39.

415-40-BZ....H.B.Q.....124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens, N.B. 2532-40.

884-39-A.....H.B.Q.....81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens, Decision—re Viol. 1361-38.

1224-39-SM.....Sloan V-100 Vacuum Breaker, manufactured by Sloan Valve Company, Material.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On September 19, 1940, Jerome N. Wanshel, attorney, served on Board petition and order of certiorari on behalf of Killarney Holding Corporation, owner, in re decisions of Board on July 16, 1940, Cal. Nos. 1535-39-A, 1536-39-A, 1537-39-A and 1538-39-A, affecting Block No. 2411, Lot No. 1; Block No. 2413, Lot No. 1; Block No. 2409, Lot No. 1, and Block No. 2418, Lot No. 1, Howard Beach, Borough of Queens.

COURT DECISION.

Supreme Court, Special Term, New York County, Mr. Justice Bernstein, August 20, 1940.

In re Kesbec, Incorporated (Cambell)—Motion is denied. The pending proceeding before the Board of Standards and

Appeals of the City of New York is not an appeal from the refusal of the borough superintendent of the Department of Housing and Buildings to issue a certificate of occupancy of the premises in question for the parking of more than five motor vehicles. It is an application for a variance under section 7 of the Building Zone Resolution. Such an application is not directed to procuring a reversal of the decision of the superintendent, but to procuring a dispensation of compliance under the discretionary power vested in the Board. The stay of proceedings provided for by chapter 27, section 668-c of the New York City Charter, therefore, does not cover the pending proceeding. Furthermore, the application here seeks to stay the enforcement of the criminal law. This may not be done in a case of this kind (Mills Novelty Company v. Sunderland, 266 N.Y., 32, 36).

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of.....Aug.	6, 1940—Vol. 25, No. 32
Carbon Dioxide Liquefier Rules.....July	30, 1940—Vol. 25, No. 31
Certificates of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of .....Aug.	27, 1940—Vol. 25, No. 35
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Aug.	13, 1940—Vol. 25, No. 33
Fire Alarm Rules (Interior).....Aug.	13, 1940—Vol. 25, No. 33
Fire Drill Rules .....Sept.	17, 1940—Vol. 25, No. 33
Fire-resistive, Flameproof Materials, etc., Rules for Testing of.....Sept.	17, 1940—Vol. 25, No. 28
Fire Retarding Rules for Garages, etc. ....Aug.	20, 1940—Vol. 25, No. 34
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....Aug.	20, 1940—Vol. 25, No. 34
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway ProtectionJune	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....Sept.	24, 1940—Vol. 25, No. 39
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Opening Protective Assemblies, Rules for Inspection of.....Aug.	20, 1940—Vol. 25, No. 34
Paint, Varnish and Lacquer Spraying Rules .....Sept.	10, 1940—Vol. 25, No. 37
Platform Trucks, Specifications for.....Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....Sept.	10, 1940—Vol. 25, No. 37
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C. June	11, 1940—Vol. 25, No. 24
Smoking in Factories, Rules for.....Sept.	24, 1940—Vol. 25, No. 39
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Mar.	5, 1935—Vol. 20, No. 10
Fuel Oil Burners for Domestic and Commercial Use .....Sept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pipe Terminals .....Sept.	10, 1940—Vol. 25, No. 37
Fuel Oil Burners for Industrial Use.....Sept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pumps .....Sept.	3, 1940—Vol. 25, No. 36
Gas Heaters .....Sept.	3, 1940—Vol. 25, No. 36
Paint, Varnish and Lacquer Spraying Equipment .....Sept.	10, 1940—Vol. 25, No. 37
Range Oil Burners and Space Heaters .....Sept.	3, 1940—Vol. 25, No. 36
Vacuum Breakers .....Sept.	10, 1940—Vol. 25, No. 37

SEPTEMBER 24, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 24, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CALENDAR

CAL. NO. 1048-22-BZ—Application of W. H. and J. F. Dusenbury, applicants, on behalf of Kingleff Holding Corporation, owner, reopened May 7, 1940, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board); premises 472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Leferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street

(Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 574-40-BZ—Application, May 27, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Giuseppe Proscia, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn.

CAL. NO. 2-40-BZ—Application, January 2, 1940, under section 7h of the building zone resolution, of Kollsman Instrument Company, Inc., applicant and lessee, on behalf of Palotto Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises south side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens.

CAL. NO. 532-40-BZ—Application, May 17, 1940, under section 7h of the building zone resolution, of Benjamin M. Sylvan, applicant, on behalf of Hylda Kaufman and Sadie Rosenberg, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 988 Forest avenue, east side, 168.65 ft. south of East 165th street and 991-1001 Tinton avenue (Block No. 2659, Lot No. 20), Borough of The Bronx.

CAL. NO. 194-40-BZ—Application, February 21, 1940, under section 21 of the building zone resolution, of Helen Lulves, applicant and owner, to permit in a residence use district, the conversion of occupancy of an existing dwelling to business use (undertaking establishment); premises 4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx.

CAL. NO. 302-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of Ferdinand Savignano, applicant, on behalf of Joseph Molina, owner, to permit in a business use district, the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill; premises 1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

CAL. NO. 192-29-BZ—Application of H. A. Mugler, applicant, on behalf of Veronica Kambourian, owner, reopened January 3, 1939, under

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sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board); premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9 and 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 24, 1940, 2 P. M.

Appeals from Administrative Decisions.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

502-40-A—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

737-40-A—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

750-40-A—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue "S" (Block No. 7088, Lot No. 87), Borough of Brooklyn.

783-40-A—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

704-40-A—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

794-40-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

648-40-A—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 30), Borough of Brooklyn.

614-40-A—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

635-40-A—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

OCTOBER 1, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 1, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Cliffdodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

CAL. NO. 1183-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Josephine Mauriello, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Mosholu parkway, north (Block No. 3331, Lot No. 73), Borough of The Bronx.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels,

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applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65 to 67, inclusive), Borough of The Bronx.

CAL. NO. 88-40-BZ—Application of John J. Beatty, applicant, on behalf of May E. Campbell, owner, reopened September 10, 1940, re amendment of resolution—re application, previously granted on condition, under section 7g of the building zone resolution, permitting in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for more than five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 415-40-BZ—Application of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 7c of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot

Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 393-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of The Mortgage Corporation of New York, applicant and owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Julien L. Bartelstone (doing business as Pilgrim Refrigerator Company), lessees, to permit in a residence use district, the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and the manufacture of signs; premises 45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

Appeal from Administrative Decision.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 1, 1940, 2 P. M.

Appeals from Administrative Decisions.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 1, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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OCTOBER 8, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 8, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 560-40-BZ—Application, May 24, 1940, under sections 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Marion Ward, owner (Arthur C. Bergen, lessee), to permit, partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, automobile showroom and motor vehicle repair shop; premises 430-432 East 188th street, south side, 100.48 ft. east of Park avenue, and 451-453 Cyrus place (Block No. 3041, Lot No. 37), Borough of The Bronx.

CAL. NO. 1515-39-BZ—Application, December 14, 1939, under section 21 of the building zone resolution, of Clinton C. Tyrrell, applicant, on behalf of Rockaway Point Development Corporation, owner (Rockaway Operating Company, Incorporated, lessee), to permit in a business use district the maintenance of a gasoline service station and motor vehicle repair shop; premises 105 Rockaway Breezy boulevard, north side, 400 ft. east of Reid avenue (Block No. 900, Lot No. 1), Rockaway Point, Borough of Queens.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47), Borough of Brooklyn.

CAL. NO. 591-40-BZ—Application, June 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Edward Sperry, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station;

premises 168-02 to 168-08 Liberty avenue and 103-01 to 103-03 Merrick boulevard, southeast corner (Block No. 10221, Lot No. 7), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 1220-39-BZ—Application, October 5, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ansel P. Verity and George Deylen (Johnson and Scharf-

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man, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

CAL. NO. 631-40-BZ—Application, June 12, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of Bowery Savings Bank, owner (345 West 34th Street Parking Corporation, lessee), to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan.

CAL. NO. 1172-39-BZ—Application, September 22, 1939, under section 7h of the building zone resolution, of Catherine Conigliano and Francisco Conigliano, applicants and owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn.

CAL. NO. 950-39-BZ—Application, July 13, 1939, under sections 7f and 21 of the building zone resolution, of James Britton Halley, applicant and lessee, on behalf of Olga Roman and Harriet Britton, owners, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a stated term; premises 3457-3459 Mickle avenue and 3450-3452 Eastchester road, east side, 311 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

CAL. NO. 1490-39-BZ—Application, December 8, 1939, under section 21 of the building zone resolution, of George W. Kibitz, applicant, on behalf of The Actinograph Corporation, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx.

CAL. NO. 38-40-BZ—Application, January 11, 1940, under sections 7h and 21 of the building zone resolution, of Samuel G. Thomson, Jr., applicant and owner, to permit on a plot, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles on that portion of the plot in the business use district; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

CAL. NO. 617-40-BZ—Application, June 10, 1940, under sections 7c and 21 of the building zone resolution, of Murray Klein, applicant, on behalf of Emanuel Levy and Philip Pifko, owners, to permit the erection and maintenance of a one-story business building (store), partly in a business use district and partly in a residence use district; premises 1623-1629 East 17th street, east side, 105 ft. ¾ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

OCTOBER 22, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of

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a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 431-40-BZ—Application, April 24, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of George L. Lawson and Estate of William W. Lawrence (J. Y. Brown, A. A. Gulick and C. P. Williamson, trustees), owners (Kesbec, Incorporated, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 317-325 West 59th street, north side, 186 ft. west of Columbus Circle (Block No. 1112, Lot Nos. 15, 115, 16 and 17), Borough of Manhattan.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dis-

missed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 605-40-BZ—Application, June 6, 1940, under sections 7c and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of City of New York and Brick's Service Stations, Incorporated, owners to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

CAL. NO. 332-40-BZ—Application, April 2, 1940, under section 21 of the building zone resolution of Abraham N. Horwitz, applicant, on behalf of Harry Bram, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2747-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, SEPTEMBER 17, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

335-40-BZ.

APPLICANT—Samuels and Samuels, for Long Island Sound Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7f of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.
For Opposition: Harold F. Berg.

ACTION OF BOARD—Laid over to October 8, 1940, at 10 A.M., on request of applicant.

528-40-BZ.

APPLICANT—Lama and Proskauer, for Herman O. Behn, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubricatorium and store use.

PREMISES AFFECTED—114-20 101st avenue, southwest corner of 116th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Herman O. Behn and Fred A. Behn.
For Opposition: None.

ACTION OF BOARD—Laid over to October 1, 1940, at 10 A.M., for applicant to file revised plans.

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124-36-BZ.

APPLICANT—J. Jacques Stone, for Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee).

SUBJECT—Application for consideration—reopening and restoration to Calendar—re (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—63-67 West 35th street, north side, 100 ft. east of West 35th street (Block No. 837, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone.

ACTION OF BOARD—Application reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

415-40-BZ.

APPLICANT—Andrew A. Marjey, for Borough Hall Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under sections 7b and 7c of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story).

PREMISES AFFECTED—124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey and John P. McGrath.

ACTION OF BOARD—Application reopened and set for hearing October 1, 1940, at 10 A.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

20-33-BZ.

APPLICANT—Eadie, Nunley, Gale and Rosenholz, for Harry Hugger, owner.

SUBJECT—Application reopened July 2, 1940—re consideration as to extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station for a temporary period.

PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: None.
For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(120-33-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond, was dismissed by the Board for lack of prosecution December 27, 1933; and

WHEREAS, this application was reopened by vote of the Board May 4, 1937; and

WHEREAS, this application was granted by the Board March 1, 1938, on certain conditions, under section 7f of the building zone resolution, for a period of two (2) years, and the applicant requested an extension of the permit, which permit has expired by limitation; and

WHEREAS, this application was reopened by vote of the Board July 2, 1940, so as to permit the required publications in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises and surrounding area were inspected by a committee of the Board from time to time during the past year.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on March 1, 1938, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7f, for a term of two (2) years from the date of this amended resolution, to permit the front portion of Lot No. 9 to be used as a gasoline service station and for minor automobile repairs, on condition that the arrangement of the premises shall be substantially as indicated on amended plans marked 'Received February 21, 1938'; that the accessory building shall be constructed and located as indicated; that the area for minor repairs and greasing shall be restricted to the area as indicated; that no repairs shall be permitted except such as can be done with hand tools, except that a bench grinder and bench drill may be motor-driven provided the motive power is not more than one-half horsepower for each machine; that the gasoline pumps shall not exceed one (1) pair, to be located not nearer than 15 ft. to either street line; that the gasoline selling area shall be graded substantially to the grade of Hylan boulevard and shall be cement-paved or paved with Colprovia or cracked bluestone, suitably bound and rolled; that no additional equipment shall be installed in the gasoline area other than the gasoline pumps; that planting as indicated shall be maintained along edges of this area; that the space between the accessory building and the private dwelling on the lot shall not be used as part of the gasoline service station or in connection with car repairs or any other non-conforming use; that signs shall be restricted to permanent sign attached to the accessory building, located within the brick panel in the cornice and to signs painted on the glass windows of the office portion and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance more than 5 ft."

18-40-BZ.

APPLICANT—Sidney H. Kitzler, for Margaret Murgolo, owner.

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SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and Joseph Murgolo.

For Opposition: Arthur G. Mandeville.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(18-40-BZ)

WHEREAS, Sidney H. Kitzler, for Margaret Murgolo, owner, filed January 6, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing building to a garage for more than five (5) motor vehicles; premises 184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Woodbine and Madison streets are in residence and business use districts; that Central and Wilson avenues are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 2152-40, dated December 18, 1939, and as amended May 14, 1940, reads:

"1. Proposed public garage in a residential use district is contrary to Art. 2, Sec. 3 of the Building Zone resolution.

Application denied."

and

WHEREAS, the existing building is three stories in height, of Class 3 construction, with a frontage of 21 ft. 6 in. and a depth of 100 ft. on the first story and 55 ft. above the first story; it is proposed to alter and convert the occupancy of the first story of the existing building to a garage for more than five (5) motor vehicles, the upper stories to be used for dwellings; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate a basis for granting under section 21 of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 2152-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

295-40-BZ.

APPLICANT—Mark J. Joseph, for Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the maintenance of a business use (restaurant and offices) on the first story of an existing multiple dwelling.

PREMISES AFFECTED—2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Mark J. Joseph and Nathan Hammer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(295-40-BZ)

WHEREAS, Mark J. Joseph, for Drydock Savings Bank, owner (Stanwood Cafeteria, Incorporated, lessee), filed March 21, 1940, an application under section 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the maintenance of a business use (restaurant and offices) on the first story of an existing multiple dwelling; premises 2060-2078 Broadway and 169-171 West 71st street, northeast corner (Block No. 1143, Lot No. 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway, Amsterdam avenue and West 71st street are in business and residence use districts; that West 72nd street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 612-40, dated March 11, 1940, reads:

"4. No part of a building within a residence district may be used for business. (Sec. 3 Zon. Res.)"

and

WHEREAS, the existing building is twelve stories in height, of fireproof construction, with a frontage of 105 ft. 5 in. on Broadway and 110 ft. 5 in. on West 71st street; an irregular shaped portion of the building at the west is located in a residence use district while the remainder of the building is located in a business use district; the building is occupied for business use on the first story and as dwellings above; on the north portion of the first story there is a restaurant and offices for same; a part of the restaurant and offices are located in the residence use district, which condition it is proposed to maintain; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension of the business use into the residence area, only so far as it affects the first story of the building and for the area indicated on plans filed herewith, *on condition* that the building shall not be further extended in area, and that the business occupancy herein permitted shall in all other respects comply with all laws, rules and regulations applicable thereto; that this use shall continue only so long as this portion of the building is used as at present for a public restaurant and the use of the space within the residential portion shall be continued as presently used; that no ventilation ducts shall be constructed in the residence use area, and that all permits shall be obtained and all work completed within one (1) year from the date of this action.

456-40-BZ.

APPLICANT—William Shary, for City Bank Farmers

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Trust Company, as trustee under the will of Thomas Dimond, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c, 7e and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, Fred A. Wyckoff and G. S. Ganong.

For Opposition: H. B. Elger, Irwin Stern, Richard B. Hand, Louis K. Schwarz, Bertram Friedelson, Sol A. Herzog, John A. Brough, Alfred Hagedorn, Charles Moore and B. W. Felsenstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Assistant Chief McCarthy 1
Negative: Chairman Murdock and Commissioners Savage and Blum 3

THE RESOLUTION—

(456-40-BZ)

WHEREAS, William Shary, for City Bank Farmers Trust Company, owner, filed April 29, 1940, an application under sections 7a, 7c, 7e and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of an existing garage for more than five (5) motor vehicles; premises 2231-2239 Broadway and 248 West 80th street, southwest corner (Block No. 1227, Lot No. 54), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and West End avenue are in residence use districts; that West 80th street and West 9th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 701-40, dated March 28, 1940, and as amended July 30, 1940, reads:

"1. Extension of present garage located part in business and part in residence districts is contrary to sections 3 and 4 of Zone Res."

WHEREAS, the premises consist of a plot of ground having a frontage of 102 ft. on Broadway and 101 ft. 6 in. on West 80th street; the westerly portion of the plot extends into the residence use district for a distance of 1 ft. 6 in., while the remainder of the plot is in a business use district; upon the easterly portion of the plot there is a five-story building, partly fireproof and partly non-fireproof, occupied for stores, offices and school, having a frontage of 102 ft. on Broadway and 71 ft. 6 in. on West 80th street; it is proposed to alter this building and to extend the garage use into the fireproof portion of the second, third, fourth and fifth stories, as shown on filed plans; and

WHEREAS, these premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of section 7, subdivisions a and c, of the building zone resolution, to extend the use beyond that now legally permitted, and that the applicant had failed to substantiate a basis for granting under section 21 of the building zone resolution, and as, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Applic. No. 701-40, Objection No. 1, dated March 28, 1940, and as amended July 30, 1940, be and

it hereby is *affirmed* and that the application be and it hereby is *denied*.

514-40-BZ.

APPLICANT—Salomon A. Hauptman, for Estate of Giuseppe Giambalvo, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21, 7b and 7c of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use.

PREMISES AFFECTED—670 Bushwick avenue and 921-931 Willoughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. A. Hauptman.

For Opposition: Samuel Rosenthal, Joseph A. Mauro, George A. Mango, F. Margolin, Mrs. Vincent Anello, Emily Miller and Rebecca Pistanowitz.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(514-40-BZ)

WHEREAS, Salomon A. Hauptman, for Estate of Giuseppe Giambalvo, owner, filed May 14, 1940, an application under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of the first story of an existing building from dwelling to business use; premises 670 Bushwick avenue and 921-931 Willoughby avenue, northwest corner (Block No. 3194, Lot No. 31), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in business, residence and unrestricted use districts; that Willoughby avenue is in residence and business use districts; that Ditmars street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1575-40, Objection No. 1, dated April 16, 1940, reads:

"1. Changing occupancy from Residence to Business use in partly residential and partly business zone is contrary to 2-1-3-5 of Bldg. Code and to Art. 2, Sec. 3 of Zone Resolution. Application denied."

and

WHEREAS, the building is three stories in height, of non-fireproof construction, with a frontage of 42 ft. 4 in. and a depth of 65 ft. 9 in.; an irregular shaped area at the southerly portion of the building is located in a residence use district, while the remainder is located in a business use district; it is proposed to alter and convert the occupancy of the first story of the existing building from dwelling to business use (office and laboratory), with the upper stories to be occupied for dwelling use; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7,

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subdivision c, to permit the extension of the business use into the residential area, *on condition* that the existing residential building shall not be structurally enlarged or changed in general appearance; that the business use permitted shall be limited to the first or parlor floor, as indicated on plans filed with this application, and shall be restricted to the occupancy of offices for physicians or dentists or other similar medical professional uses; that any tenant occupying the laboratories shall be in a similar professional class; that no signs shall be erected on the building other than the usual name-plate signs used by doctors; that the upper portion of the building shall be occupied by not more than two families; that in all other respects all laws, rules and regulations applicable to this building and occupancy herein permitted shall be complied with, and that all permits shall be obtained and all work shall be completed within one (1) year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

556-40-A.

APPLICANT—Sidney H. Kitzler, for Margaret Murgolo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—184 Woodbine street, south side, 225 ft. east of Central avenue (Block No. 3360, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and Joseph Murgolo.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed due to action of the Board under Cal. No. 18-40-BZ.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

Adjourned, 1:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, SEPTEMBER 17, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

968-24-BZ.

APPLICANT—Arnold W. Lederer, for Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings)—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above.

PREMISES AFFECTED—1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

ACTION OF BOARD—Application reopened, subject to usual procedure, and set for hearing October 22, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

527-37-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in the City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

224-38-BZ.

APPLICANT—Lama and Proskauer, for Hanover Service Station, Incorporated, owner.

SUBJECT—Application for consideration—reopening and rehearing under amended section 7f of the building zone resolution (re decision of the borough superintendent of buildings), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution).

PREMISES AFFECTED—32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, Lot No. 36), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

249-39-BZ.

APPLICANT—Lama and Proskauer, for Koppers Company, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—(re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—84-11 to 84-21 Astoria boulevard, 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, Lot No. 1), Jackson Heights, Borough of Queens.

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APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and restored to Calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

89-40-BZ.

APPLICANT—F. Hale Atkinson, for Estate of Francis Cousins (William H. Cary, executor), Wolfman and Company, Elizabeth Stedmond, Mary A. S. Stedmond, Charles Hall, Chauncey Levy and Dime Savings Bank of Brooklyn, owners (William Girard, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

REMISES AFFECTED—107-115 Fort Greene place, east side, 104 ft. south of Lafayette avenue, and 656-660 Fulton street, south side, 24 ft. west of South Elliott place (Block No. 2113, Lot Nos. 17 to 21, inclusive, and 32 to 34, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Cowen.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

8-20-BZ.

APPLICANT—Arthur M. Pannaman, for Antoinette Acquavella, owner.

SUBJECT—Application for consideration—reopening and amendment—re new decision of the borough superintendent of buildings—re Application, previously granted on condition under sections 7c and 7e of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed garage for more than five (5) motor vehicles.

REMISES AFFECTED—947-957 60th street, north side, 70 ft. 1¼ in. west of Fort Hamilton parkway (Block No. 5708, Lot Nos. 36 and 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morton Pannaman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(368-20-BZ)

WHEREAS, this application to permit the extension from unrestricted use district into a business use district of a garage for more than five (5) motor vehicles, premises 947-957 60th street, north side, 70 ft. 1¼ in. west of Fort Hamilton parkway (Block No. 5708, Lot Nos. 36 and 38), Borough of Brooklyn, was granted by the Board June 29, 1920, on certain conditions; and

WHEREAS, Arthur M. Pannaman, for Antoinette Acquavella, owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 29, 1920, by adding thereto:

“that in the event the owner desires to construct an enclosure for offices, toilet rooms, etc., as indicated on plans filed, marked ‘Received July 25, 1940’, and as acted on by the borough superintendent on Alteration Application No. 2610-40, such partitions and ceilings as shown thereon may be constructed of 2 in. by 4 in. wood studs, provided the same are protected with wire lath and cement plaster on both sides, or the partitions may be constructed of other material deemed equivalent by the borough superintendent.”

262-32-BZ.

APPLICANT—Edward J. Walsh, for Edward J. Walsh and Mary Walsh, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Mary Walsh.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(262-32-BZ)

WHEREAS, the application, affecting premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond, was granted by the Board September 23, 1932, for a temporary period of two (2) years, the period extended October 23, 1934, October 6, 1936, and September 13, 1938, and owner requested a further extension.

Resolved, that the resolution adopted by the Board on September 23, 1932, as last amended September 13, 1938, be and it hereby is amended, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7, subdivision f, for a temporary period of two (2) years from the date of this amended resolution, on condition that all pumps shall be set back from the building lines on all street fronts not less than 10 ft.; any accessory use conducted on the premises shall be housed in one-story structures; any advertising signs advertising the non-conforming use shall be confined to the illuminated globes of the pumps; there shall be but two entrances to the gasoline station on Willowbrook road and one on Wyona avenue, the curb cuts in front thereof shall be not more than 14 ft. wide each; all permits required shall be obtained within three (3) months and all work completed within six (6) months from the date of this action.”

602-37-BZ.

APPLICANT—Katharine Hentschel, owner.

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SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lillian Hentschel.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(602-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn, was granted by the Board October 25, 1938, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 25, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h, for a term of two (2) years from the date of this *amended resolution*, to permit the plot under appeal to be used for storage and parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored and parked; that the lot shall be leveled to the grade of surrounding streets and shall be covered with steam cinders or clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on interior lines and street lines a substantial fence not less than 6 ft. in height, except for one entrance to Jefferson street, toward the center of the plot, not more than 15 ft. in width; that during the term of this variance the plot shall be used for no other use than permitted herein; that no building shall be erected thereon, except there may be erected a frame building, not more than one story in height, not more than 150 sq. ft. in area, as an office and shelter for attendant; that proper aisles shall be maintained at all times for ingress and egress of cars; that such portable fire appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected, except a sign near the entrance, not over 15 sq. ft. in area, and attached to the fence, advertising the storage and parking use."

512-38-BZ.

APPLICANT—Kim Parking Stations, Incorporated (lessee), for Lucy A. Duffy, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: M. Rosenstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(512-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles, premises 109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan, was granted by the Board July 20, 1938, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 20, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision h, for a period of two (2) years from the date of this *amended resolution*, to permit the premises under appeal to be *occupied for parking* and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked and stored; that any buildings on the premises shall be completely removed and the plot leveled substantially to the grade of West 31st street and surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled, and treated with binder to prevent dusting; that there shall be erected on interior lot line, where walls of adjacent buildings do not occur, a substantial woven-wire fence or wall not less than 6 ft. in height; that a substantial woven-wire fence shall be constructed on the street line continuously, except for entrance towards the easterly end, not exceeding 15 ft. in width; that there may be a curb cut opposite such entrance of similar width, that any existing curb cut shall be restored, except for the curb cut herein permitted; that there shall be no signs erected on the premises, except there may be a sign erected at the entrance on the fence advertising the parking and storage use; that such sign shall not exceed 15 sq. ft. in area; that proper aisles shall be maintained at all times for easy exit and entrance; that during the term of this variance the premises shall be used for no other use and that no building shall be erected thereon, except there may be erected a frame building, not over one story in height and not over 150 sq. ft. in area, as an office and shelter for attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no certificate of occupancy shall be issued until the requirements of this resolution have been complied with."

1421-39-BZ.

APPLICANT—John McBride (lessee), for Fordbrad Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not

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more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—90-02 Northern boulevard, south side, between 90th and 91st streets (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Muss.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1421-39-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than six (6) months, the parking and storage of more than five (5) motor vehicles, premises 90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens, was granted by the Board February 6, 1940, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 6, 1940, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, for a term of six (6) months from the date of this *amended resolution*, to permit the plot under appeal to be occupied for the parking and storage of motor vehicles, *on condition* that only cars of the pleasure-car type shall be so stored or parked; that such uses shall not extend beyond the plot under appeal; that during the term of this permit the premises shall be occupied for no other use than that herein permitted; that there shall be no sale of used cars and no automobile repairing on the premises; that no signs shall be erected, except a sign at the entrance at 91st street advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line; that no building shall be erected, except there may be constructed an office and shelter for the attendant, provided it does not exceed one story in height and 150 sq. ft. in area; that proper lanes shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.”

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Ferber.

For Owner: B. Paul Glassman and Nicholas F. Walsh.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Ferber.

For Owner: B. Paul Glassman and Nicholas F. Walsh.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M.

1517-39-A.

APPLICANT—Meyer Strauss, for Estate of Martha W. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to October 1, 1940, at 2 P.M. No appearances for applicant.

597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and, also, for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. Meredith Langstaff.

For Owner: Herbert Perrell.

ACTION OF BOARD—Laid over to October 1, 1940, at 2 P.M.

614-40-A.

APPLICANT—Nathan Fishman, for Wikon Realty Corporation, owner (Fishman Brothers, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M. No appearances made on behalf of applicant.

635-40-A.

APPLICANT—Oscar Wiseman (lessee), for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M. No appearances made for applicant.

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M. No appearances made for applicant.

648-40-A.

APPLICANT—Martin Tori (M. P. Santini, Incorporated), for Interstate Storage Warehouse, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 24, 1940, at 2 P.M.

765-40-A.

APPLICANT—Edgar A. Palmieri, for 440 East 102nd Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—440-448 East 102nd street, southwest corner of East River Drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar A. Palmieri.

ACTION OF BOARD—Placed on reserve calendar pending court action.

866-40-A.

APPLICANT—First National Oil Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner—re Transportation of fuel oil in three-compartment tank on tractor trailer unit (oil not in conformity with Fire Department specifications governing tank trucks) in New York City.

APPEARANCES—

For Applicant: H. C. Pitt.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

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0

796-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—171-50, 171-54 and 171-58 Gladwin avenue, southwest corner of Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

THE RESOLUTION—

(796-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 171-50, 171-54 and 171-58 Gladwin avenue, southwest corner of Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4833, 4834 and 4835, dated July 15, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to the Building Code (Sec. 4.1.1. and 4.1.2)."

and

WHEREAS, the premises consist of a plot of ground fronting 17.60 ft. on Fresh Meadow lane and 120 ft. on Gladwin avenue, located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect upon each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and, also, a one-car private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be brick veneer at the first story and have frame gables which will be surfaced with wood clapboards or asbestos shingles; roofs will be surfaced with asphalt shingles; the garages will either be of frame construction, brick veneered to plate line, with frame gables finished, or surfaced with wood clapboards or asbestos shingles; the roofs will be surfaced with asphalt shingles or be of Class 3 construction, as desired by the purchaser; all dwellings will be set back 15 ft. from Gladwin avenue, into which setback entrance space may project for a distance of 5 ft.; the dwelling to be located on the lot at the intersection of Fresh Meadow lane and Gladwin avenue will have a 5 ft. side yard on the northwesterly side and a side yard on the southeasterly side of approximately 15 ft.; the dwellings to be located 40 ft. and 80 ft. respectively northeast of Fresh Meadow lane will have side yards 5 ft. wide on the northwesterly sides and side yards 10 ft. wide on the southeasterly sides; garages will be located not nearer than 1 ft. to the side and rear lot lines.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application Nos. 4833, 4834 and 4835, dated July 15, 1940, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that the building shall be constructed as herein proposed and shall be restricted to the use of one family; that the garage shall be used solely as an accessory to the residence building on the same plot.

797-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—171-31, 171-35, 171-39, 171-43 and 171-49 Gladwin avenue, northwest corner of

MINUTES

Fresh Meadow lane (Block No. 5578, Lot No. 1),
Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. J. O'Donohue, Depart-
ment of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(797-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 17, 1940, on appeal from a decision of the borough superintendent of buildings; premises 171-31, 171-35, 171-39, 171-43 and 171-49 Gladwin avenue, northwest corner of Fresh Meadow lane (Block No. 5578, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4836-4840, inclusive, dated July 15, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to the Building Code (Sec. 4.1.1, and 4.1.2)."

and

WHEREAS, the premises consist of a plot of ground fronting 135.58 ft. on Fresh Meadow lane and 250.66 ft. on Gladwin avenue, located in a business and residence use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 28 ft. by 38 ft. 5 in. in area, and a garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be surfaced on the exterior of the first story with brick veneer, and have frame gables which will be surfaced with wood clapboards, barn boards or asbestos shingles; roofs will be surfaced with asphalt shingles; garages will be of brick veneer to the plate line, with frame gables surfaced with wood clapboards or asbestos shingles, and have roofs surfaced with asphalt shingles, or will be of Class 3 construction if desired by the purchaser; dwellings will be set back 15 ft. from Gladwin avenue and will be provided with 5 ft. side yards on the northwesterly side and 10 ft. on the southeasterly side, except for a dwelling located on the lot at the intersection of Gladwin avenue and Fresh Meadow lane, which will be set back 8 ft. 6 in. from Fresh Meadow lane; garages will be located not nearer than 1 ft. to the side lot lines and not nearer than 1 ft. to the rear lot lines, except for the garage to be located on the plot at the intersection of Fresh Meadow lane and Gladwin avenue, which will be set back 1 ft. 10 $\frac{3}{8}$ in. from Fresh Meadow lane.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application Nos. 4836-4840, inclusive, dated July 15, 1940, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that the building shall be constructed as herein proposed and shall be restricted to the use of one family; that the garage shall be used solely as an accessory to the residence building on the same plot.

798-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-48 Fresh Meadow lane, southwest corner of Effington avenue (Block No. 5578, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(798-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 47-48 Fresh Meadow lane, southwest corner of Effington avenue (Block No. 5578, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4689-1940, dated July 17, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to the Building Code (Sec. 4.1.1 and 4.1.2)."

and

WHEREAS, the premises consist of a plot of ground fronting 135.57 ft. on Fresh Meadow lane and 0.69 ft. on Effington avenue, located in a business use D area district; it is proposed to erect a one-story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a one-car private garage, 19 ft. 6 in. by 11 ft. in area; the dwelling will be surfaced on the exterior with brick veneer at the first story, and have frame gables, which will be surfaced with wood clapboards or asbestos shingles; the roof will be surfaced with asphalt shingles; the garage will be of frame construction or brick veneered to the plate line, with frame gables surfaced with clapboards, and the roof surfaced with asphalt shingles, or may be of Class 3 construction if so desired by the purchaser; the dwelling will be set back 12 ft. from Fresh Meadow lane and will have a 5 ft. side entrance at the northwest; the garage will be located 1 ft. from the rear lot line, will be set back 16 ft. from Fresh Meadow lane, and will not be located nearer than 10 ft. to the dwelling.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 4689-1940, dated July 17, 1940, be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 1, on condition that the building shall be constructed as herein proposed and shall be restricted to the use of one family; that the garage shall be used solely as an accessory to the residence building on the same plot.

799-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—172-22, 172-26 and 172-30 Effington avenue, south side, 0.69 ft., 40.69 ft. and 80.69 ft. west of Fresh Meadow lane (Block No. 5578, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(799-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed July 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 172-22, 172-26 and 172-30 Effington avenue, south side, 0.69

MINUTES

ft., 40.69 ft. and 80.69 ft. west of Fresh Meadow lane (Block No. 5578, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 4690, 4691 and 4692 of 1940, dated July 17, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to the Building Code."

and

WHEREAS, the premises consist of a plot of ground fronting 120 ft. on Effington avenue with a depth of 100 ft., located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. 9 in. by 19 ft. 6 in. in area; the dwellings will be surfaced on the exterior on the first story with brick veneer; frame gables will be surfaced with wood clapboards; roofs will be surfaced with asphalt shingles; garages will be of frame construction, surfaced on the exterior to the plate line with brick veneer, with frame gables surfaced with wood clapboards, and roofs surfaced with asphalt shingles, or will be of Class 3 construction if so desired by the purchaser; dwellings will be set back 15 ft. from the Effington avenue building line, into which setback a front entrance may project for a distance of 5 ft.; side yards will be provided on the northeasterly sides 10 ft. in width and on the southeasterly sides 5 ft. in width; garages will be located not nearer than 1 ft. to side and rear lot lines.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application Nos. 4690, 4691 and 4692 of 1940, dated July 17, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the building shall be constructed as herein proposed and shall be restricted to the use of one family; that the garage shall be used solely as an accessory to the residence building on the same plot.

813-40-A.

APPLICANT—185 Sand Lane Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—185 Sand lane, east side, 32 ft. south of Cedar avenue (Block No. 3110, Lot No. 56), South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Paul Urson.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(813-40-A)

WHEREAS, 185 Sand Lane Holding Corporation, owner, filed July 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises 185 Sand lane, east side, 32 ft. south of Cedar avenue (Block No. 3110, Lot No. 56), South Beach, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application No. 514-40, dated July 18, 1940, reads:

"1. It is contrary to the Code, Sec. C26-752.0 (12.21.1) to use a frame structure for a motion picture theatre."

and

WHEREAS, the building is 39 ft. by 61 ft. 9 in. in area; one story (16 ft.) in height; of Class 4 construction; located in a business use C area district; erected in 1915, with

an addition at the southwest corner 32 ft. in area, of Class 3 construction, erected in 1940; the entire premises throughout is used as a meeting room for 200 persons, pursuant to Certificate of Occupancy No. 1863 issued May 4, 1940; it is proposed to occupy the premises as a motion picture theatre for 210 persons on the first floor, with the balcony floor to remain vacant except for a projection booth, which it is proposed to construct thereon; and

WHEREAS, the applicant contends that the building was purchased in 1938 for use as a community center; that in 1940 an extension was built to provide better toilet and heating facilities; that the owning group, which was comprised of sixteen public-spirited property owners of the community, has sought to bring motion picture entertainment into the community and thus promote better social and economic relationship; that motion pictures will be shown in the community two or three times a week; that there are six exits, three of which are 3 ft. 7 in. wide, two are 3 ft. wide and one is 5 ft. 3 in. wide; that four of the exits lead directly to a public street and two lead to a public court, which leads to a public street and open area in the rear of the building; that all exits have been equipped with panic bolts, and only the street level floor will be used for public purposes; that all other requirements of the Building and Fire Departments will be complied with.

Resolved, that the decision of the borough superintendent of buildings, acting on B.N. Application No. 514-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the occupancy as proposed, of the existing one-story building, as indicated on plans filed with this Board marked "Received September 13, 1940", as a community center to be known as South Beach Lyceum, and operated by the community corporation known as 185 Sand Lane Holding Corporation, *on condition* that the first floor only shall be used, as proposed, and shall have a seating capacity of not over 210 persons; that no stage shows shall be permitted; that the projection booth in the gallery at the front shall comply with all the regulations therefor and shall have a door at either end exiting toward the corner stairways; that there shall be installed at each stairway a metal grille door which shall normally be kept locked to prevent public entrance to gallery but readily openable from the inside for exit by the projection room operators; that the exits as shown shall be maintained at all times, equipped with approved panic bolts; that there shall be filed with the borough superintendent of buildings a letter of authorization from the adjoining owner covering the use of the existing concrete walk in the court at the northerly side leading to the street; that the interior of the building shall be protected on the walls, columns and ceilings with wire lath and plaster; that this variance shall continue only so long as this building is maintained as set forth and required herein and is continued under the operation of the community corporation; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

832-40-A.

APPLICANT—Archibad D. Anstey, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—172-174 East 116th street, south side, 213 ft. 4 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto L. Kelm.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

MINUTES

Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(832-40-A)

WHEREAS, Archibald D. Anstey, for Mutual Life Insurance Company of New York, owner, filed July 31, 1940, an appeal from a decision of the borough superintendent of buildings; premises 172-174 East 116th street, south side, 213 ft. 4 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1557-40, dated July 8, 1940, reads:

"2. Building must be of fireproof construction, Sec. 4.2.1 Build. Code. Reconsideration is denied.

3. The fire escape at the front of the building may not be considered as a lawful means. Reconsideration is denied."

and

WHEREAS, the building is three stories and cellar (40 ft.) in height, 31 ft. 8 in. by 100 ft. in area at street level and 31 ft. 8 in. by 70 ft. at typical floor level; of Class 3 construction; erected in 1921; located in a business use district, and occupied: cellar, storage, no persons; first story, store, 60 persons; second story, club, 60 persons; third story, light manufacturing, 40 persons; it is proposed to be occupied: cellar, same; first story, store; second story, club, 150 persons; third story, club, 150 persons; certificate of occupancy was issued on Alteration Application No. 3323 of 1934 permitting the following use and occupancy: first story, stores, 60 persons; second story, club, 60 persons; third story, light manufacturing, 40 persons; and

WHEREAS, the applicant contends that after the issuance of Certificate of Occupancy No. 20423 the third story was leased for club quarters; that the application now in question was filed to remedy the situation; that the proposed conversion to club occupancy could be made under old section 72 of the Building code; that at present there is a rear fire balcony; that it is proposed to install connecting stairs and ladders similar to those required by the Board for the adjoining building to the west, namely, 168-170 East 116th street, under Cal. No. 1427-39-A, which is under the same ownership; that there is a legal factory fire escape on the front of the building; that exits will lead to the rear fire escape, from fire escape to fire-retarded stair hall, which is equipped with self-closing doors leading from roof to first story; that in view of these facts it is requested that the Board permit the use of a limited occupancy for both the second and third stories of 150 persons per story or a total of 300 persons for both stories, and that the present social club occupancy on both the second and third stories be permitted to continue.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 1557-40, be and it hereby is *modified*, as to Objections Nos. 2 and 3, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the existing stairway shall be maintained continuously from roof to street; that the door leading from vestibule to street at the foot of such stairway shall be glazed with wire glass; that the fire escape shall be arranged so as to provide a second means of exit; that in the rear a ladder shall be erected from each story to the first story extension, with a ladder provided on the first story extension roof, of sufficient length to reach the yard of the lot now vacant toward the west across the extension of adjoining building at 168-170 East 116th street; that the balconies shall be cross-connected to balconies of the adjoining building to the west, so as to permit escape through such building to the street; that the occupancy per floor shall at no time exceed 100 persons; that the ceilings below the offsets on each story shall be fire-retarded; that this variance shall continue only so long as the building is occupied as proposed. subject

to the conditions set forth herein and as set forth in resolution adopted by the Board as to building at 168-170 East 116th street on December 19, 1939, under Cal. No. 1427-39-A.

836-40-A.

APPLICANT—Frank G. Burger, for Foggin-Burger Land Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl D. Isaacs and Frank B. Sterner.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(836-40-A)

WHEREAS, Frank G. Burger, for Foggin-Burger Land Company, Incorporated, owner, filed July 31, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond; and

WHEREAS, Alteration Plan No. 355-39 was approved for alteration and extension of the building May 3, 1940; and

WHEREAS, on July 30, 1940, an amendment was filed, which reads:

"Application is hereby made to omit sprinkler System as noted on approved application, approved May 3, 1940.

This Sprinkler System was required to permit the aggregate area of the enlarged building of Class III (non F.P.) construction to exceed the tabular limit of 7500 sq. ft. (Code Sec. C26-254.0)."

and

WHEREAS, said amendment was disapproved by the borough superintendent of buildings on July 31, 1940; and

WHEREAS, Order No. 5194-LF, issued by the fire commissioner July 13, 1939, reads:

"You are hereby ordered and required within 30 days from the date of the service of this order, to:

1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, said order of the fire commissioner is not the subject of this appeal; and

WHEREAS, the building is 60 ft. by 99 ft. in area; one story and cellar (22 ft.) in height; of Class 3 construction; erected in 1935; located in a business use C area district; and

WHEREAS, it is proposed to construct an extension at the rear, 100 ft. by 51 ft. in area, within the residence use district, as granted by the Board under Cal. No. 562-37-BZ; and

WHEREAS, Alteration Application No. 355-39, which is the subject of this appeal, was filed for the purpose of constructing the extension permitted by the above-mentioned zoning variance; and

WHEREAS, the applicant contends that the proposed addition will be of brick construction and be used for sales purposes throughout; that the necessity for a sprinkler system has been eliminated for the reason that the premises

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after alteration will be used entirely for sales purposes and for the display of merchandise; that adequate aisle space will be maintained, and that it is respectfully requested that the requirement for the installation of the sprinkler system be omitted; and

WHEREAS, the building exceeds the area permitted unless a sprinkler system is installed throughout the building (C26-254.0); and

WHEREAS, an order was issued July 13, 1939, by the fire commissioner calling for a sprinkler system in the cellar (Order No. 5194-LF).

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 355-39, dated July 30, 1940, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

840-40-A.

APPLICANT—Sidney H. Kitzler, for Edward C. Halvorsen, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—5310 Eighth avenue, west side, 60 ft. 2 in. south of 53rd street (Block No. 818, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(840-40-A)

WHEREAS, Sidney H. Kitzler, for Edward C. Halvorsen, owner, filed August 5, 1940, an appeal from a decision of the borough superintendent of buildings; premises 5310 Eighth avenue, west side, 60 ft. 2 in. south of 53rd street (Block No. 818, Lot No. 43), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 3453-1940, dated July 25, 1940, reads:

"2. The stairs from 1st to 2nd floor should be 3 ft. 0 in. wide, Sec. 6.4.1.2.

4. The second floor should be capable of supporting at least 100 lbs. live load per square foot, Sec. 7.3.2.2.5."

and

WHEREAS, the building is three stories (33 ft.) in height, 20 ft. by 62 ft. in area; of Class 3 construction; erected in 1927; located in a business use C area district, and occupied: cellar, storage, no persons; first story, chapel, no persons; second story, dwelling, one family; third story, dwelling, one family; it is proposed to be occupied: first story, chapel, 75 persons; second story, embalming and reposing rooms and office; third story, dwelling, one family; Certificate of Occupancy No. 80787 was issued January 11, 1937, on Alteration Application No. 11966-36, to permit the use of the first story of premises 5310-5312 Eighth avenue as an undertaking establishment and two families; and

WHEREAS, the applicant contends that it is now proposed to discontinue the use of the adjoining store at 5312 Eighth avenue and to occupy the second story of No. 5310 Eighth avenue for office, storeroom, embalming room and combination reposing and reception room; that as to Objection No. 2, section 6.4.1.2 permits a 3-foot-wide stair providing the floor area does not exceed 4,000 sq. ft. and the occupancy does not exceed fifty persons; that the floor area is 1,240 sq. ft. gross; that the present stairway is 2 ft. 10 in. wide; that as to Objection No. 4, section 7.3.2.2.5 requires 100 pounds live load; that this section refers to large public

spaces such as hotel lobbies; that it will accommodate between twenty-five and thirty persons and ought not be classed under section 7.3.2.2.5 but should be classified under section 7.3.2.2.1 in view of the fact that any person may use his own dwelling for the proposed use; that actual funeral services will be conducted on the first floor at the chapel; that in view of these facts it is respectfully requested that the second floor be permitted to remain at forty pounds live load as it now exists.

Resolved, that the decision of the borough superintendent of buildings, acting on Application No. 3453-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 2, on condition that the stairs from the first to second story shall not be less than 2 ft. 10 in. in the clear, and *granted*, as to Objection No. 4, on condition that the occupancy of the second story shall at no time exceed fifty persons; that the building shall not be increased in height and area; that all openings between this building and any adjoining building shall be blocked up with approved masonry; that this variance shall be continued only so long as the occupancy is continued as proposed and the arrangement of the second story shall be as indicated on plans marked "Received September 17, 1940"; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

852-40-A.

APPLICANT—Frank Wolf (lessee), for Lawyers Trust Company, as trustee under the will of Alexander Carmichel, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—232 West 48th street, south side, 242 ft. ½ in. east of Eighth avenue (Block No. 1019, Lot No. 154), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Wolf.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(852-40-A)

WHEREAS, Frank Wolf (lessee), for Lawyers Trust Company, as trustee under the will of Alexander Carmichel, owner, filed August 12, 1940, an appeal from an order and a decision of the fire commissioner; premises 232 West 48th street, south side, 242 ft. ½ in. east of Eighth avenue (Block No. 1019, Lot No. 154), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 22124-LC, dated May 28, 1940, reads:

"With reference to your application for a permit to store and use nitro cellulose at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Building is within 50 ft. of the nearest wall of a theatre. Section C19-110.0 (b1) of the Administrative Code.

YOU ARE THEREFORE ADVISED TO:

1. Discontinue the storage and use of nitrocellulose products on the above premises."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner dated July 30, 1940; and

WHEREAS, the building is three stories and basement (39 ft.) in height, 16 ft. 9½ in. by 56 ft. in area; of Class 3 construction; located in a retail use B area district; erected

MINUTES

in 1891, and occupied: cellar, storage; first story, musical instrument store; second story, audition and rehearsal rooms; third story, same, 2 persons; it is proposed to be occupied throughout as at present; and

WHEREAS, the applicant contends that the lessee operates a musical instrument and drummers' supply store and has used the premises as such for eleven years; that as part of this business he keeps upon the premises small quantities of a material used in the making of drum covers; that this consists of a nitro-cellulose compound, glued together in sheets with adhesive tape and other non-inflammable or non-combustible material; that these materials are kept in a metal, fireproof box and at no time does the supply stored exceed 15 pounds of nitro-cellulose; that the conduct of the applicant's business is dependent upon the use of this material, and it is therefore requested that the order of the fire commissioner be reversed and that a permit be issued for the small amount involved.

Resolved, that the order of the fire commissioner, Order No. 22124-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of nitro-cellulose compound in sheets shall at no time exceed fifteen pounds; that such supply shall be maintained in a metal container satisfactory to the fire commissioner, and that in all other respects all laws, rules and regulations applicable thereto shall be complied with.

867-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-03 to 46-51 192nd street, northeast corner of 47th avenue, southeast corner of 46th avenue and east side of 192nd street, 40 ft., 80 ft., 120 ft., 160 ft., 200 ft., 240 ft., 280 ft., 320 ft., 360 ft., 400 ft. and 440 ft. south of 46th avenue (Block No. 5548, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(867-40-A)

WHEREAS, Frank C. Keller, for Supro Homes, Incorporated, owner, filed August 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-03 to 46-51 192nd street, east side, between 46th avenue and 47th avenue (Hollis Court boulevard) (Block No. 5548, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5632 to 5637-40, inclusive, and New Building Application Nos. 5181 to 5187-40, inclusive, dated August 20, 1940, read:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4-1-2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot fronting on the east side of 192nd street from the south side of 46th avenue to the north side of 47th avenue to a depth of 100 ft.; located in a business use D area district; it is proposed to subdivide the plot into thirteen separate lots and to erect on each lot a two-story frame one-family dwelling, 18 ft. in height and 25 ft. by 30 ft. in area, and, also, a private garage, 11 ft. by 19 ft. in area, of frame construction; the

dwellings will be set back 20 ft. from 192nd street, into which setback front entrances may project approximately 5 ft.; the dwelling at the corner of 46th avenue will be set back 10 ft. from the 46th avenue building line; the dwelling at the corner of 47th avenue will be set back 8 ft. from the 47th avenue building line; garages will be located not nearer than 1 ft. to the side and rear lot lines; the buildings will be brick veneer at first story, with frame gables surfaced with wood siding, asbestos shingles, asbestos siding, brick veneer or stucco; the roofs will be surfaced with approved asphalt shingles; garages will be brick veneer to the plate line, with frame gables surfaced with wood siding, asbestos siding, asbestos shingles or stucco; side entrance steps may project into side yards a distance of 3 ft.; and

WHEREAS, the applicant contends that the property has no present value for business use; that it would be a hardship to hold this property until such time as this property would be sufficiently developed to require stores; that it is proposed to construct the gable end of the garage facing the rear lot line of incombustible materials unless no portion of the garage is within 3 ft. of the rear lot line; that a modification of the building code requirements is requested to permit the construction as proposed, within the fire limits, in view of the fact that the buildings will substantially comply with the requirements of an F area district.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 5632 to 5637-40 and 5131 to 5187-40, inclusive, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be located and constructed as proposed and shall be restricted to the occupancy of a single family each and the garage shall be solely as accessory to residential building on each lot.

868-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—45-35, 45-39, 45-43, 45-47, 45-51, 45-55, 45-59, 45-63 and 45-67 192nd street, northeast corner of 46th avenue and east side of 192nd street, 40 ft., 80 ft., 120 ft., 160 ft., 200 ft., 240 ft., 280 ft. and 320 ft. north of 46th avenue (Block No. 5534, Lot No. 135), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(868-40-A)

WHEREAS, Frank C. Keller, for Supro Homes, Incorporated, owner, filed August 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 45-35 to 45-67 192nd street, east side, running north from 46th avenue (Block No. 5534, Lot No. 135), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5638 to 5646-40, inclusive, dated August 20, 1940, read:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4-1-2 of Building Code."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on 46th avenue and 360 ft. on 192nd street; located in a business use D area district; it is proposed to subdivide the plot into nine separate 40 ft. lots and to erect on each

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lot a two-story frame one-family dwelling, 18 ft. in height and 25 ft. by 30 ft. in area, and a private garage, 11 ft. by 19 ft. in area, of frame construction; the dwellings will be set back from 192nd street a distance of 20 ft., into which setback front entrances may project 5 ft.; the dwelling at the corner of 46th avenue will be set back from the 46th avenue building line a distance of 10 ft.; side yards 10 ft. in width will be provided on the north lot lines, except for the building located at the corner of 46th avenue will have a side yard on the north lot line of 5 ft.; side yards will be provided on the south lot lines of 5 ft. in width, except for the building located at the corner of 46th avenue, which will have a side yard on the south side of 10 ft.; garages will be located not nearer than 1 ft. to side and rear lot lines; the dwellings will be surfaced on the exterior with brick veneer for the first story, with frame gables surfaced with wood siding, asbestos siding, asbestos shingles, brick veneer or stucco; roofs will be surfaced with approved asphalt shingles; garages will be surfaced with brick veneer to the plate line, with frame gables surfaced with wood siding, asbestos siding, brick veneer or stucco; rear frame gables of garages will be surfaced with incombustible materials unless garages are erected not nearer than 3 ft. to the rear lot lines; side entrance steps may project into side yards a distance of 3 ft.; and

WHEREAS, the applicant contends that it would be a hardship to hold this property and pay taxes thereon until such time when this area would be sufficiently developed to require the erection of stores; that the outlook at present indicates that this property may never have a real business value.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 5638 to 5646-40, inclusive, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be located and constructed as proposed and shall be restricted to the occupancy of a single family each and the garage shall be solely as accessory to residential building on each lot.

869-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-28, 46-32, 46-40 and 46-46 192nd street, southwest corner of 46th road and northwest corner of Hollis Court boulevard, west side of 192nd street, 40 ft., 80 ft. and 120 ft. west of 192nd street (Block No. 5533, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative

4

0

THE RESOLUTION—

(869-40-A)

WHEREAS, Frank C. Keller, for Supro Homes, Incorporated, owner, filed August 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-28 to 46-46 192nd street, west side, between 47th avenue (Hollis Court boulevard) and 46th road, and 189-46 to 189-50 46th road, south side, 100 ft. west of 192nd street (Block No. 5533, part of Lot No. 13), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5656, 5657 and 5188 to 5192-40, inclusive, dated August 20, 1940, read:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4-1-2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 180 ft. on the south side of 46th road and 225.51 ft. on 192nd street; located in a business use D area district; it is proposed to subdivide the plot into seven separate lots and to erect on each lot a two-story frame one-family dwelling, 18 ft. in height and 25 ft. by 30 ft. in area, and a private garage, 11 ft. by 19 ft. in area; dwellings will be set back from the building lines a distance of 20 ft., into which setback front entrances may project for a distance of 5 ft., except for the dwelling to be located at the corner of 46th road, which will be set back from the 46th road building line a distance of 10 ft., and the dwelling to be located at the corner of 47th avenue will be set back from the 47th avenue building line a distance of 11 ft.; dwellings to be located on 192nd street will be provided with side yards on the north lot line of 5 ft. in width, except at the corner of 46th road, which will be set back from the 46th road building line 10 ft.; these dwellings will also have side yards on the south lot line of 10 ft. in width, except the dwelling at the corner of 46th road, which will have a side yard on the south of 5 ft. in width; the dwellings to be erected on 46th road will have side yards on the east lot line of 5 ft. in width and on the west lot line of not less than 10 ft. in width; dwellings will be surfaced on the exterior of the first story with brick veneer; frame gables will be surfaced with wood siding, asbestos siding, asbestos shingles or brick veneer; roofs will be surfaced with approved asphalt shingles; garages will be reinforced on the exterior with brick veneer to plate line, with frame gables surfaced with wood siding, asbestos siding, asbestos shingles, stucco or brick veneer, and roofs surfaced with asphalt shingles; garages will be located not nearer than 1 ft. to side and rear lot lines; rear frame gables of garages will be surfaced on the exterior with incombustible materials unless garages are erected not nearer than 3 ft. to rear lot lines; side entrance steps may project into side yards a distance of 3 ft.; and

WHEREAS, the applicant contends that it would be a hardship to hold this property and pay taxes thereon until such time when this area would be sufficiently developed to require the erection of stores; that the outlook at present indicates that this property may never have a real business value.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 5656, 5657 and 5188 to 5192-40, inclusive, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be located and constructed as proposed and shall be restricted to the occupancy of a single family each and the garage shall be solely as accessory to residential building on each lot.

870-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-04, 46-08, 46-12, 46-16 and 46-20 192nd street, northwest corner of 46th road and southwest corner of 46th avenue, west side of 192nd street, 40 ft., 80 ft. and 120 ft. south of 46th avenue (Block No. 5532, part of Lot No. 28), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative

4

0

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THE RESOLUTION—

(870-40-A)

WHEREAS, Frank C. Keller, for Supro Homes, Incorporated, owner, filed August 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 46-04 to 46-20 192nd street, west side, between 46th avenue and 46th road (Block No. 5532, part of Lot No. 28), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5649 to 5653-40, inclusive, dated August 20, 1940, read:

"1. Erection of a frame building within the fire limits is contrary to Sec. 4-1-2 of the Building Code."

and
WHEREAS, the premises consist of a plot fronting 200 ft. on the west side of 192nd street to a depth of 100 ft. therefrom; located in a business use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a two-story frame one-family dwelling, 18 ft. in height and 25 ft. by 30 ft. in area, and a private garage, 11 ft. by 19 ft. in area; dwellings will be set back from 192nd street building line a distance of 20 ft., into which setback front entrances may project 5 ft., and will have side yards on the north lot lines of 10 ft., except the dwelling at the corner of 46th road, which will have a side yard on the north lot line of 5 ft.; dwellings will have side yards along the south lot line 5 ft. in width, except for the dwelling at the corner of 46th road, which will have a 10 ft. setback from the 46th road building line; garages will be located not nearer than 1 ft. to side and rear lot lines; dwellings will be surfaced on the exterior of the first story with brick veneer, and frame gables will be surfaced with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be brick veneered to the plate line, with frame gables surfaced on the exterior with wood siding, asbestos siding, asbestos shingles, stucco or brick veneer; the rear frame gables of garages will be surfaced with incombustible material unless garages are erected not nearer than 3 ft. to the rear lot lines; side entrance steps may project into side yards a distance of 2 ft.; and

WHEREAS, the applicant contends that it would be a hardship for him to hold this property and pay taxes thereon until such time when this area would be sufficiently developed to require the erection of stores; that the outlook at present indicates that this property may never have a real business value.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 5649 to 5643-40, inclusive, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be located and constructed as proposed and shall be restricted to the occupancy of a single family each and the garage shall be solely as accessory to residential building on each lot.

871-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—45-66 and 45-70 192nd street, northwest corner of 46th avenue and west side of 192nd street, 40 ft. north of 46th avenue (Block No. 5531, Lot No. 50), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.
For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(871-40-A)

WHEREAS, Frank C. Keller, for Supro Homes, Incorporated, owner, filed August 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 45-66 to 45-70 192nd street, northwest corner of 46th avenue (Block No. 5531, Lot No. 50), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5648 and 5647-40, dated August 20, 1940, read:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4-1-2 of the Building Code."

and
WHEREAS, the premises consist of a plot fronting 100 ft. on 46th avenue and 80 ft. on 192nd avenue; located in a business use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a two-story frame one-family dwelling, 18 ft. in height and 25 ft. by 30 ft. in area, and a private garage, 11 ft. by 19 ft. in area; the corner dwelling will be set back from 192nd street a distance of 20 ft. and from 46th avenue a distance of 10 ft., into which setbacks entrance steps may project a distance of 5 ft.; the dwelling to be located 40 ft. north of 46th avenue will be set back from 192nd street 20 ft., into which front entrance steps may project 5 ft., and will have a side yard on the north lot line of 10 ft. and on the south lot line of 5 ft.; the corner dwelling will have a side yard on the north lot line of 5 ft.; garages will be located not nearer than 1 ft. to side and rear lot lines; dwellings will be surfaced on the exterior with brick veneer on the first story; frame gables will be surfaced with asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with approved asphalt shingles; garages will be surfaced on the exterior with brick veneer to the plate line, with frame gables surfaced with asbestos shingles, asbestos siding, stucco wood siding or masonry veneer; rear frame gables of garages will be surfaced with incombustible materials unless garages are constructed not nearer than 3 ft. to rear lot lines; side entrance steps may project into side yards a distance of 2 ft.; and

WHEREAS, the applicant contends that it would be a hardship to hold this property and pay taxes thereon until such time when this area would be sufficiently developed to require the erection of stores; that the outlook at present indicates that his property may never have a real business value.

Resolved, that the decisions of the borough superintendent of buildings, acting on New Building Application Nos. 5648 and 5647-40, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be located and constructed as proposed and shall be restricted to the occupancy of a single family each and the garage shall be solely as accessory to the residential building on each lot.

874-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-03 and 80-07 189th street, southeast corner of Union Turnpike and east side of 189th street, 40 ft. south of Union Turnpike (Block No. 7267, Lot No. 80), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William M. Adelman.
For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(874-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed August 23, 1940, an appeal from a decision of the borough superintendent of buildings; premises 80-03 and 80-07 189th street, southeast corner of Union Turnpike and east side of 189th street (Block No. 7267, Lot No. 80), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 5242 and 5243-40, dated August 16, 1940, reads:

"1. Construction of frame structure within fire limits unlawful, Sect. 4.1.2 Bldg. Code."

and
WHEREAS, the premises consist of a plot fronting 80 ft. on 189th street and 100 ft. on Union Turnpike; it is proposed to subdivide the plot into two separate lots and to erect on the former lot a one and one-half story frame one-family dwelling, 26 ft. by 45 ft. in area, and a two and one-half story frame one-family dwelling, 26.6 ft. by 33.6 ft. in area on the latter lot, and two private garages, each 11.2 ft. by 19.8 ft. in area; the dwellings will be set back 23 ft. from 189th street, into which setback front entrances, bay windows or open porches may project for a distance not to exceed 8 ft.; the dwellings will be provided with side yards on the southerly side of not less than 4 ft. on the northerly side of not less than 9 ft. except that the corner dwelling may be set back from Union Turnpike a distance of 8 ft.; the garages will be located within 1 ft. of the rear and side lot lines; the dwellings will be surfaced on the exterior of the first story with brick veneer and stucco or brick on the second story; the roofs will be surfaced with natural slate; the garages will be brick veneer to the plate line, with frame gables surfaced with incombustible material where they adjoin the rear lot lines, and wood clapboards on the front; chimney breasts may project into the side yards or into the Union Turnpike setback a distance of not over 2 ft.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application Nos. 5242 and 5243-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1 thereof, *on condition* that each building shall be constructed as herein proposed and shall be restricted to single family occupancy and that the garage shall be occupied solely as accessory to the residential building.

875-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-06 and 47-14 Fresh Meadow lane, northwest corner of Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(875-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated,

owner, filed August 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 47-06 and 47-14 Fresh Meadow lane, northwest corner of Auburndale lane (Block No. 5579, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4139-40, dated August 12, 1940, reads:

"The erection of a frame building in the fire limits is contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the premises consist of a plot fronting 146.18 ft. on Fresh Meadow lane and 117.86 ft. on Auburndale lane; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and also a private garage, 11 ft. by 19 ft. 6 in.; dwellings will be set back 15 ft. from Fresh Meadow lane, into which setback front entrances may project a distance of 5 ft.; the corner dwelling will be set back 6 ft. from Auburndale lane and will have a 5 ft. side yard on the south side; the dwelling to be located at 47-14 Fresh Meadow lane will have a 10 ft. side yard on the north side and a 5 ft. side yard on the south side; garages will be located not nearer than 1 ft. to the side lot line and not nearer than 4 ft. to the street building line; dwellings will be surfaced on the first story with brick veneer, with frame gables surfaced with wood, stucco, asbestos shingles or masonry veneer; roofs will be surfaced with approved asbestos shingles or natural slate; garages will be brick veneer to the plate line, with frame gables surfaced with wood siding, or will be of Class 3 construction; and

WHEREAS, the applicant contends that a declaration of restrictions has been filed limiting the use of this property for residence; that the proposed dwellings and garages will be in harmony with the balance of the area now being developed by the owner for similar type dwellings; that it would be a hardship to be compelled to build brick buildings in this area as it would not be possible to meet the present sales market for this type of dwelling in this area.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 4139-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that each building shall be constructed as herein proposed and shall be restricted to single family occupancy, and that the garage shall be occupied solely as accessory to the residential building.

897-40-A.

APPLICANT—Phineas Zolot, for 19 Realty Company, owner (Standard Coat, Apron and Linen Supply, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—424-430 East 19th street, south side, 181.3 ft. west of Avenue A (Block No. 950, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Phineas Zolot.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(897-40-A)

WHEREAS, Phineas Zolot, for 19 Realty Company, owner, filed September 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 424-430 East

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19th street, south side, 181.3 ft. west of Avenue A (Block No. 950, Lot No. 43), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on F.P. Application No. 630-40, dated August 23, 1940, reads:

"1. The proposed change in use of the 2nd floor, from garage to 'storage of linen'; the 1st floor meanwhile remaining in use as a garage, is contrary to the Administrative Code. (Chapter 10, Art. II, Sect. 151)." and

WHEREAS, the building is two stories (28 ft.) in height, 100 ft. by 92 ft. in area; of Class 3 construction; erected in 1896; located in an unrestricted use B area district; occupied: cellar, boiler room, no persons; first story, garage for more than five (5) cars, 10 persons; second story, same; proposed to be occupied: cellar, same; first story, same; second story, linen storage, 15 persons; Certificate of Occupancy No. 9384 was issued March 24, 1925, permitting the use of the building for a garage for more than five (5) cars; and

WHEREAS, the applicant contends that it is proposed to change the use of the second story to storage and shipping of bundles of linen uniforms and laundry, such as towels, aprons and napkins, which have been laundered and bundled in the adjoining building; that the second story is of reinforced concrete and steel construction; that the entire second story area will be cut off from the garage by masonry partitions and fireproof, self-closing Class A doors; that the proposed use and operation of the building will be similar to other buildings of this type operated by its competitors.

Resolved, that the decision of the borough superintendent of buildings, acting on F.P. Application No. 630-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the certificate of occupancy shall be amended so as to limit the garage storage to first story only and to permit the occupancy of the second story for the use as proposed, for the storage of bundles of linen uniforms, towels, aprons and similar material; that the second story shall be separated from the first story by approved masonry partitions and that the exit therefrom to the street shall be separated from the garage occupancy and there shall be no communicating openings between the first and second stories except for an elevator shaft, legally enclosed, and that in all other respects the building and occupancy shall comply with all rules and regulations applicable thereto.

900-40-A.

APPLICANT—Edgar J. Moeller, for Mardordic Realty Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—342-346 Amsterdam avenue, west side, 25.7½ ft. north of West 76th street, and 205 West 76th street (Block No. 1168, Lot Nos. 28, 30, 31 and 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

4
0

THE RESOLUTION—

(900-40-A)

WHEREAS, Edgar J. Moeller, for Mardordic Realty Company, Incorporated, owner, filed September 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 342-346 Amsterdam avenue, west side,

25 ft. 7½ in. north of West 76th street, and 205 West 76th street (Block No. 1168, Lot Nos. 28, 30, 31 and 32), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2620-40, dated August 22, 1940, reads:

"1. Building should be fireproof due to public use and area as per Sec. 4.2.1 B.C." and

WHEREAS, the building is two stories (27 ft.) in height, 76 ft. 7½ in. by 115 ft. in area; of Class 3 construction; located in a business use B area district; erected in 1893, and occupied: cellar, storage, no persons; first story, stores, 45 persons; second story, vacant; proposed to be occupied: cellar, storage; first story, stores, 45 persons; second story, bowling alleys, 100 persons; and

WHEREAS, the applicant contends that the building originally consisted of four private stables and was later converted to a bakery, store, office, machine shop and auto repair shop; that in 1921 the building was converted to bakery use, at which time the entire second story of the two buildings on Amsterdam avenue which were removed and new reinforced concrete arch, supported on steel beams, girders and columns substituted; that this construction was also carried into the rear portion of 76th street building and designed for 200 pounds live load; that the greater portion of the second story, upon which the proposed bowling alleys will be located, is of fireproof construction; that the balance is built of 3 in. by 12 in. wood beams, covered underneath with 27 gauge stamped metal, with mineral wool between the beams, and surfaced with pine floor, and proposed to be surfaced in addition to the heavy bowling alley floor construction, which in itself is a fire-tardent, and makes the proposed occupancy a very slight hazard; that two stairways now exist from the second story direct to street, both of steel construction; that the Amsterdam avenue stairway is enclosed in wood studs, covered on both sides with ¾ in. Portland cement plaster, and the 76th street stairway is proposed to be fire-retarded in the same manner; that the Amsterdam avenue enclosed stairway continues to the roof by means of a bulkhead; that in view of these conditions a variation of the provision of the Code is requested to permit the installation of bowling alleys, toilet rooms, etc., as shown on plans filed with Alteration Application No. 2620-40.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 2620-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that legal stairs shall be provided, one leading direct to Amsterdam avenue and one direct to West 76th street, as shown, enclosed in partitions of not less than one hour's test; that there shall be maintained along the southerly side wall, parallel to the bowling alleys, a clear passageway, without railing on the alley side, approximately 3 ft. in width, for access from the public space to the stairway leading to West 76th street; that on such parts of floor construction as are non-fireproof the spaces between the beams shall be packed with mineral wool to a density of not less than six pounds per cubic foot, and the beams underneath shall be protected with a metal ceiling; that in all other respects, except as varied herein, all laws, rules and regulations applicable shall be complied with, and that this variance shall continue only so long as the second story of the building is occupied as herein proposed.

884-39-A.

APPLICANT—James A. Shea, for Sarah Barch, owner.

SUBJECT—Application for consideration—reopening and rehearing by order of the Court—re Appeal from a decision of the borough superintendent of buildings (previously denied by Board).

PREMISES AFFECTED—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

MINUTES

APPEARANCES—

For Applicant: James A. Shea.

ACTION OF BOARD—Appeal reopened and placed on Reserve Calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

577-22-A.

APPLICANT—Daniels and Kennedy, Incorporated (lessee), for Dry Dock and Corlears Park Properties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—304-312 Monroe street and 13-23 Corlears street, southwest corner (Block No. 263, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Grover C. Sniffen.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

THE RESOLUTION—

(577-22-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 304-312 Monroe street and 13-23 Corlears street, southwest corner (Block No. 263, Lot No. 16), Borough of Manhattan, was granted by the Board June 20, 1922, on certain conditions; and

WHEREAS, Daniels and Kennedy, Incorporated, for Dry Dock and Corlears Park Properties, Incorporated, owner, requested amendment of the resolution as to change of conditions in the event of change of occupancy.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 20, 1922, by adding thereto:

"that in the event the occupancy of this building is changed and the building is occupied throughout for the storage of rolled print paper, the standpipe equipment may be removed provided there is installed on each floor such wheel-mounted portable extinguishers of the anti-freeze type as determined by the fire commissioner; that there shall be no storage within the building of any motor vehicles and no storage of gasoline or oil; that the building shall remain unheated, and that this variation shall continue only so long as the building is occupied as proposed and in compliance with the terms of this resolution."

330-37-A.

APPLICANT—De Maurice Moses, for Catherine Woods, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—171-36 109th avenue, south side, 80 ft. west of 172nd street (Block No. 1276, Lot No. 3), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: De Maurice Moses.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

THE RESOLUTION—

(330-37-A)

WHEREAS, this appeal from a decision of the commissioner of buildings, affecting premises 171-36 109th avenue, south side, 80 ft. west of 172nd street (Block No. 1276, Lot No. 3), Jamaica, Borough of Queens, was granted by the Board July 13, 1937, on certain conditions; and

WHEREAS, De Maurice Moses, for Catherine Woods, owner, requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 13, 1937, only so far as it has reference to the term of permit, so that as amended the resolution shall read:

"Resolved, that the decision of the commissioner of buildings be and it hereby is *modified* and the appeal be and it hereby is *granted*, permitting the building under appeal to be used as a convalescent home, *on condition* that there shall be constructed a fire escape balcony with a 45-degree fire escape stair to grade, giving access thereto through the westerly windows of the bedrooms, and that a similar stair shall be constructed from the roof of the open porch on the east end of the building so as to give second means of exit from the easterly bedrooms; that no patient shall be housed above the second story; that the attic floor shall be used for sleeping quarters for attendants only; that approved portable fire extinguishers shall be maintained on each floor as the commissioner shall direct; that the number of occupants and the conduct of the premises shall be subject to the approval of the Department of Hospitals; *that this variance shall continue for a period of three (3) years from the date of this amended resolution*; that in the event an oil burner shall be installed, such burner shall meet all the requirements of the Oil Burner Rules of the Board of Standards and Appeals and that the burner shall be installed in a room with fire-retarded walls and ceiling, all openings leading thereto equipped with self-closing, fireproof doors, and that said room shall be separated from the balance of the cellar."

VARIATION OF THE LABOR LAW.

666-40-S.

APPLICANT—F. W. Woolnough Company, Incorporated (lessee), for Marie Veith, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in an order of the borough superintendent of buildings.

PREMISES AFFECTED—275 Miller avenue, east side, 100 ft. north of Glenmore avenue (Block No. 3977, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ferdinand Veith.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

THE RESOLUTION—

(666-40-S)

WHEREAS, F. W. Woolnough Company, Incorporated, for Marie Veith, owner, filed June 19, 1940, an application for a variation from the requirements of the Labor Law as cited in an order and a decision of the fire commissioner

MINUTES

and a decision of the borough superintendent of buildings; premises 275 Miller avenue, east side, 100 ft. north of Glenmore avenue (Block No. 3977, Lot No. 1). Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4451-LF, dated April 24, 1940, reads:

"3. Arrange wire mesh on windows on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated June 3, 1940; and

WHEREAS, said order and decision was superseded by Exit Violation No. 81-40, issued by the borough superintendent of buildings July 18, 1940, which reads:

"You will please take notice that there exists a violation of Section 272, Paragraph 3 of the Labor Law at the premises hereinafter described, in that wire mesh on windows of first floor is not readily movable or removable from both sides.

Remedy: You are hereby directed to have wire mesh readily movable or removable on windows of first floor."

and

WHEREAS, the building is two stories (20 ft.) in height, 40 ft. by 70 ft. in area at first story and 38 ft. by 68 ft. at second story; of Class 6 construction; located in an unrestricted use district; erected in 1904, and occupied: cellar, boiler room and storage of coal, no persons; first story, stock room and shipping, 3 persons; second story, factory, 12 persons; and

WHEREAS, the building is equipped with two unenclosed interior stairs of wood construction; there are thirty windows involved on the first story; and

WHEREAS, the applicant contends that at no time are there more than three persons employed on the first story; that there are three readily accessible exit doors; that the area of the first story is small; that the building has been equipped with the screens in question since 1905; that the screens are of light metal mesh 1 in. by 1½ in. attached with small screws to wooden window frames; that these screens were installed to prevent the breakage of glass and pilfering; that the screens are of light construction and can be pushed outwards in an emergency; that there are sufficient exits on the first story without the necessity of using the windows.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent of buildings dated July 18, 1940, and that the application be and it hereby is granted on condition that in addition to the exits shown on plans filed herewith there shall be at least one window installed on each of the four sides of the building, located approximately equidistant from the exits, equipped with wire screens, hinged and hooked so as to be readily openable from the interior in case of fire; that no additional subdividing partitions shall be installed other than in the existing vestibule on the Miller avenue front; that in all other respects this building and occupancy shall comply with all laws, rules and regulations applicable thereto; that when the requirements of this resolution have been fulfilled, it shall be considered as compliance with the order of the fire commissioner, No. 4451-LF.

APPLIANCE SUBMITTED FOR APPROVAL.

63-34-SA.

APPLICANT—David Kaufman, for Lonergan Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and

amendment of resolution—re approval of additional name "Kalamazoo Oil Burning Heater, Models F2, F3, C4, R1 and R2" (Lonergan Oil Burning Space Heater, Models F-2, F-3, C-4, R-1 and R-2, previously approved).

APPEARANCES—

For Applicant: David Kaufman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(263-34-SA)

WHEREAS, Frank Glanz, for Preferred Utilities Company, Incorporated, for Lonergan Manufacturing Company, owner, filed September 11, 1934, an application with the Board of Standards and Appeals for approval of the device known as the Lonergan Oil Burning Heater, Models F-2, F-3 and C-4; and

WHEREAS, these models were approved by the Board January 15, 1935, the resolution amended April 20, 1937, to include approval of Models R-1 and R-2; and

WHEREAS, David Kaufman, for Lonergan Manufacturing Company, owner, requested amendment of the resolution so as to permit marketing of this appliance under the name "Kalamazoo Oil Burning Space Heater", Models F-2, F-3, C-4, R-1 and R-2.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 15, 1935, as amended by resolution of April 20, 1937, by adding thereto:

"that this appliance may also be marketed under the name of 'Kalamazoo Oil Burning Space Heater', Models F-2, F-3, C-4, R-1 and R-2, on condition that under whichever name it is marketed, the requirements of this resolution shall be complied with."

MATERIALS SUBMITTED FOR APPROVAL.

1224-39-SM.

APPLICANT—Sloan Valve Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Sloan V-100-A Vacuum Breaker, previously approved.

APPEARANCES—

For Applicant: J. B. Lansing.

ACTION OF BOARD—Application reopened and referred to committee for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

885-40-SM.

APPLICANT—Atlas Fireproof Door Company, owner.

SUBJECT—Atlas Fireproof Door Company Tin-Clad Underwriter Three-Ply Class A Sliding Door for Three-Hour Openings, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

MINUTES

503-40-SM.

APPLICANT—A. B. C. Kalamein Door Company, owner.

SUBJECT—A. B. C. One and One-Half Hour Door, approval of.

APPEARANCES—

For Applicant: Sidney Sternberg.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy 4
Negative 0

NOTE:

The resolution covering the approval under Cal. No. 503-40-SM will be printed as soon as the cut referred to as Fig. 1 in the resolution is obtainable.

Adjourned, 5:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article I, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

Maximum linear expansion, per cent	$\frac{1}{2}$	$\frac{1}{2}$	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with $1\frac{1}{8}$ " No. 13 gauge blued or galvanized plaster board nails, with $\frac{3}{8}$ " heads for $\frac{1}{2}$ " board and $1\frac{3}{4}$ " nails with $\frac{3}{8}$ " heads for $\frac{3}{4}$ " or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than $\frac{2}{3}$ by weight of sand and $\frac{1}{3}$ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than $1\frac{1}{2}$ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than $\frac{1}{4}$ " thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than $\frac{3}{4}$ by weight of sand and the remaining $\frac{1}{4}$

RULES

shall not contain less than $\frac{3}{5}$ of calcined gypsum and not more than $\frac{2}{5}$ of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than $\frac{3}{16}$ " in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than $\frac{1}{16}$ " thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of $\frac{1}{2}$ " plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with $1\frac{1}{2}$ " wire nails, 6" or less c-c, with $\frac{3}{8}$ " head, and for $\frac{3}{4}$ " or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.
Untreated combustible insulation board of a single layer or thickness not to exceed $\frac{1}{2}$ " when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0 sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to we surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire wall C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeal Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 40

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to September 24, 1940.

Cal. No. Department. Premises Affected.

922-40-BZ....H.B.M....205-223 East 93rd street, north side, 90 ft. east of Third avenue, and 204-222 East 94th street (Block No. 1539, Lot Nos. 5 and 7), Borough of Manhattan, Alt. 2001-40.

923-40-BZ....H.B.B....2865-2877 Shell road (West 6th street), southeast corner of Circumferential parkway (Block No. 7250, Lot No. 33), Borough of Brooklyn, N.B. 1490-40.

924-40-A.....F.D.....416-418 Knickerbocker avenue, west side, 50 ft. south of Himrod street, and 222 Himrod street (Block No. 3278, Lot No. 28), Borough of Brooklyn, 4243-L.F. & Decision.

925-40-BZ....H.B.M....4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, Lot No. 135), Borough of Manhattan, N.B. 116-40.

926-40-BZ....H.B.Bx....1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx, N.B. 631-40.

927-40-A.....H.B.Q.....58-07 to 58-55 189th street, east side, between World's Fair boulevard and 58th avenue (Block No. 5693, Lot No. 14), Flushing, Borough of Queens, N.B. 5897-40 to 5908-40, inclusive, and N.B. 6408-40.

928-40-BZ....H.B.Bx....890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx, Alt. 407-40.

929-40-A.....H.B.Q.....73-02 190th street, southwest corner of 73rd avenue, and 73-06 190th street, west side, 600 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens, N.B. 4424-40 & N.B. 4730-40.

930-40-A.....H.B.Q.....73-03 190th street, southeast corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens, N.B. 4421-40.

931-40-A.....H.B.Q.....73-07 190th street, east side, 604 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens, N.B. 4649-40.

932-40-A.....H.B.Q.....73-11 190th street, east side, 564 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens, N.B. 6193-40.

933-40-A.....H.B.Q.....58-48, 58-52 and 58-56 217th street, northwest corner of World's Fair boulevard and west side of 217th street, 36.03 ft. and 76.03 ft. north of World's Fair boulevard (Block No. 7467, Lot No. 3), Bay-side, Borough of Queens, N.B. 5522-40, N.B. 5529-40 and N.B. 5534-40.

934-40-A.....H.B.Q.....58-47, 58-51 and 58-57 217th street, northeast corner of World's Fair boulevard and east side of 217th street, 50.41 ft. and 90.41 ft. north of World's Fair boulevard (Block No. 7468, Lot No. 1), Bay-side, Borough of Queens, N.B. 5521-40, N.B. 5523-40 and N.B. 5528-40.

935-40-A.....H.B.Q.....211-48 Jamaica avenue, south side, 141.96 ft. west of 212th street (Block No. 10836, Lot No. 55), Queens Village, Borough of Queens, Alt. 2185-40.

Restored to Calendar.

322-30-SA.....Braden Fuel Oil Burner, Models XLA, AL, W, CL, XLNT and XLNC, Appliance.

110-37-BZ....H.B.B....345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57 to 59, inclusive, and 28 and 29), Borough of Brooklyn, Drop Curb Applic. 1583-40.

CALENDAR

179-37-BZ....H.B.R....461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond, B.N. 312-40.

426-38-SA.....Arcoflame Oil Burner, Models "D" and "DF", and Arcoflame Heating Unit (Boiler-Burner Unit), Models 64 and 65, Appliance.

65-39-A.....F.D.....512-522 East 152nd street, 601-605 Brook avenue, southwest corner, and 455-459 Westchester avenue, north side, 82 ft. 8½ in. west of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx, Decision.

78-40-A.....F.D.....46-48 Fulton street, south side, 147.4 ft. west of Hicks street (Block No. 202, Lot No. 12), Borough of Brooklyn, 82058-L.C.

483-27-A.....H.B.M....48 West 86th street, south side, 125 ft. east of Columbus avenue (Block No. 1199, Lot No. 59), Borough of Manhattan, Alt. 1957-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; I.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

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OCTOBER 1, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 1, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifffodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

CAL. NO. 1183-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Josephine Mauriello, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Mosholu parkway, north (Block No. 3331, Lot No. 73), Borough of The Bronx.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CALENDAR

CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65 to 67, inclusive), Borough of The Bronx.

CAL. NO. 88-40-BZ—Application of John J. Beatty, applicant, on behalf of May E. Campbell, owner, reopened September 10, 1940, re amendment of resolution—re application, previously granted on condition, under section 7g of the building zone resolution, permitting in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for more than five (5) motor vehicles; premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

CAL. NO. 528-40-BZ—Application, May 16, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Herman H. Behn, owner, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

CAL. NO. 415-40-BZ—Application of Andrew A. Marjey, applicant, on behalf of Borough Hall Holding Corporation, owner, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 7c of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story); premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

CAL. NO. 230-40-BZ—Application, March 1, 1940, under section 21 of the building zone resolution, of Reginald S. Hardy, applicant, on behalf of Winchester Realty Corporation, owner, to permit, partly in a residence use district and partly in a business use

district, the erection and maintenance of a gasoline service station; premises 234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

CAL. NO. 393-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of The Mortgage Corporation of New York, applicant and owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Julien L. Bartelstone (doing business as Pilgrim Refrigerator Company), lessees, to permit in a residence use district, the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and the manufacture of signs; premises 45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

Appeal from Administrative Decision.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 1, 1940, 2 P. M.

Appeals from Administrative Decisions.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

918-40-A—530 Park avenue, southwest corner of East 61st street (Block No. 1375, Lot Nos. 37 to 41½, inclusive, and parts of Lot Nos. 32, 32½, 33 and 36), Borough of Manhattan.

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

645-40-A—114-02 Triton avenue (Boardwalk), north side, from Beach 114th street to Beach 115th street (Block No. 659, Lot Nos. 30, 32, 34, 47 and 40), Rockaway Beach, Borough of Queens.

CALENDAR

817-40-A—441 West 40th street, north side, 310 ft. east of Tenth avenue (Block No. 1050, Lot No. 13). Borough of Manhattan.

815-40-A—North side of Willow avenue, 614 ft. west of Bay street (Block No. 2841, Lot No. 91), Stapleton, Borough of Richmond.

872-40-A—385 Myrtle avenue, north side, 50 ft. east of Clermont avenue (Block No. 2046, Lot No. 94). Borough of Brooklyn.

896-40-A—680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens.

Variation of the Labor Law.

892-40-S—242 42nd street, south side, 275 ft. east of Second avenue (Block No. 722, Lot No. 21), Borough of Brooklyn.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 2, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 39-34-BZ—Application of Dale Carnegie, applicant and owner, reopened July 9, 1940, for consideration as to extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period; premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 8, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 2, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 560-40-BZ—Application, May 24, 1940, under sec-

tions 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Marion Ward, owner (Arthur C. Bergen, lessee), to permit, partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, automobile showroom and motor vehicle repair shop; premises 430-432 East 188th street, south side, 100.48 ft. east of Park avenue, and 451-453 Cyrus place (Block No. 3041, Lot No. 37), Borough of The Bronx.

CAL. NO. 1515-39-BZ—Application, December 14, 1939, under section 21 of the building zone resolution, of Clinton C. Tyrrell, applicant, on behalf of Rockaway Point Development Corporation, owner (Rockaway Operating Company, Incorporated, lessee), to permit in a business use district the maintenance of a gasoline service station and motor vehicle repair shop; premises 105 Rockaway Breezy boulevard, north side, 400 ft. east of Reid avenue (Block No. 900, Lot No. 1), Rockaway Point, Borough of Queens.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47), Borough of Brooklyn.

CAL. NO. 591-40-BZ—Application, June 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Edward Sperry, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 168-02 to 168-08 Liberty avenue and 103-01 to 103-03 Merrick boulevard, southeast corner (Block No. 10221, Lot No. 7), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 8, 1940, 2 P. M.

Appeals from Administrative Decisions.

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

CALENDAR

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 1220-39-BZ—Application, October 5, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ansel P. Verity and George Deylen (Johnson and Scharfman, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

CAL. NO. 631-40-BZ—Application, June 12, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of Bowery Savings Bank, owner (345 West 34th Street Parking Corporation,

lessee), to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan.

CAL. NO. 1172-39-BZ—Application, September 22, 1939, under section 7h of the building zone resolution, of Catherine Conigliano and Francisco Conigliano, applicants and owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn.

CAL. NO. 950-39-BZ—Application, July 13, 1939, under sections 7f and 21 of the building zone resolution, of James Britton Halley, applicant and lessee, on behalf of Olga Roman and Harriet Britton, owners, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a stated term; premises 3457-3459 Mickle avenue and 3450-3452 Eastchester road, east side, 311 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

CAL. NO. 1490-39-BZ—Application, December 8, 1939, under section 21 of the building zone resolution, of George W. Kibitz, applicant, on behalf of The Actinograph Corporation, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx.

CAL. NO. 38-40-BZ—Application, January 11, 1940, under sections 7h and 21 of the building zone resolution, of Samuel G. Thomson, Jr., applicant and owner, to permit on a plot, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles on that portion of the plot in the business use district; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

CAL. NO. 617-40-BZ—Application, June 10, 1940, under sections 7c and 21 of the building zone resolution, of Murray Klein, applicant, on behalf of Emanuel Levy and Philip Pifko, owners, to permit the erection and maintenance of a one-story business building (store), partly in a business use district and partly in a residence use district; premises 1623-1629 East 17th street, east side, 105 ft. ¾ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn.

CALENDAR

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 110-37-BZ—Application of Arnold W. Lederer, applicant, on behalf of Putnam Theatrical Corporation, owner (Joseph Stoy, lessee), reopened and restored to Calendar September 24, 1940, under sections 7h, 7f and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57 to 59, inclusive, 28 and 29), Borough of Brooklyn.

CAL. NO. 179-37-BZ—Application of Irving M. Fenichel, applicant, on behalf of Louis M. Brann, owner (New Method Service Company, Incorporated, lessee), reopened and restored to Calendar September 24, 1940, under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory use to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board); (previously withdrawn); premises 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRISH H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

OCTOBER 22, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 431-40-BZ—Application, April 24, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of George L. Lawson and Estate of William W. Lawrence (J. Y. Brown, A. A. Gulick and C. P. Williamson, trustees), owners (Kesbec, Incorporated, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 317-325 West 59th street, north side, 186 ft west of Columbus Circle (Block No. 1112, Lot Nos. 15, 115, 16 and 17), Borough of Manhattan.

CALENDAR

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 605-40-BZ—Application, June 6, 1940, under sections 7c and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of City of New York and Brick's Service Stations, Incorporated, owners, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

CAL. NO. 332-40-BZ—Application, April 2, 1940, under section 21 of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Harry Bram, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2747-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in, north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 29, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 29, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, SEPTEMBER 24, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, September 10, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, September 10, 1940, were approved as printed in Bulletin No. 38, Vol. 25.

BUILDING ZONE CASES.

62-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1938 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., for further consideration. Applicant to submit revised plans by October 22nd.

30-40-BZ.

APPLICANT—Reginald S. Hardy, for Winchester Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

APPEARANCES—

For Applicant: Charles O'Neill.

For Opposition: L. J. Reynolds.

ACTION OF BOARD—Laid over to October 1, 1940, at 10 A.M., on request of applicant's representative.

07-40-BZ.

APPLICANT—Henry Nordheim, for The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry B. Albert.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., on request of applicant's representative.

351-40-BZ.

APPLICANT—William F. Regan, for William F. Regan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan (applicant), Joseph T. Kearney, William F. Regan (owner) and Charles Pope.

For Opposition: Louis W. Kaplan and Jane H. Mellis.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., for further inspection by a committee of the Board. No further argument.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubricatorium, office and boiler-room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to October 22, 1940, at 10 A.M., for further consideration. Applicant to submit revised plans.

470-40-BZ.

APPLICANT—Lama and Proskauer, for William Cohn, owner (Jacob Newmark, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama, Samuel R. Rosenberg, Jacob Newmark and N. B. Cosel.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., for final decision. Plans to be submitted not later than October 22nd.

532-40-BZ.

APPLICANT—Benjamin M. Sylvan, for Hylda Kaufman and Sadie Rosenberg, owners.

MINUTES

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—988 Forest avenue, east side, 168.65 ft. south of East 165th street, and 991-1001 Tinton avenue (Block No. 2659, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Levy.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

1048-22-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Kingleff Holding Corporation, owner.

SUBJECT—Application reopened May 7, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in conjunction with a garage for more than five (5) motor vehicles (said garage was previously granted by the Board).

PREMISES AFFECTED—472-494 Kingston avenue, 585-603 East New York avenue, northwest corner, and 546-554 Lefferts avenue (Block No. 1332, Lot Nos. 38 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. F. Dusenbury, Joseph Prince and William E. Anderson.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(1048-22-BZ)

WHEREAS, this application, to permit in a business use district the erection of a garage for more than five (5) motor vehicles; premises 585-599 East New York avenue, Borough of Brooklyn, was granted by the Board October 24, 1922, on certain conditions; and

WHEREAS, W. H. and J. F. Dusenbury, for Kingleff Holding Corporation, owner, requested reopening of the application under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station used in connection with said garage; and

WHEREAS, this application was reopened by vote of the Board May 7, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lefferts avenue is in a residence and business use district; that Kingston avenue and East New York avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2032-1940, dated May 1, 1940, reads:

"1. Original application for a garage on these premises was approved by the Board of Standards and Appeals conditionally. Any change in occupancy or alteration must be approved by the Board."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 134 ft. on East New York avenue, 200 ft. on Kingston avenue and 74 ft. on Lefferts avenue; upon this plot there is a one-story garage for more than five (5) motor vehicles; the Lefferts avenue front wall of the garage is located 10 ft. back of the street line of Lefferts avenue, and in this space are located two gas pumps; it is proposed to maintain this space as a gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 24, 1922, as amended by resolution of January 31, 1923, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the rear walls shall be unpierced throughout their entire length and height; that the building shall be constructed of fireproof material; that the front elevation on East New York avenue and Kingston avenue shall be faced with tapestry brick and stone or architectural terra cotta trimmings; that any windows on these street fronts shall have sills not less than 6 ft. above the sidewalk level; that the existing gasoline selling alcove on Lefferts avenue, as indicated on plans filed herein and as passed on by the borough superintendent of buildings under Alteration Application No. 2032-40, may be continued for a term of ten (10) years from the date of this amended resolution, on condition that it shall not be extended in area and that no additional gasoline pumps shall be installed other than the two now existing, and no signs shall be erected or maintained on the Lefferts avenue front, except one brand sign, which may extend beyond the building line for a distance of not more than 5 ft.; that no Neon lighting shall be maintained and that any existing shall be removed; that lighting furnished shall be solely from the illuminated globes of the pumps and from ceiling lights, equipped with metallic reflectors, reflecting away from adjoining occupancies; that no portable gasoline pumps shall be used on or from the premises; that no curb cuts shall be installed other than those now existing, each not exceeding 30 ft. in width; that a suitable railing or wall shall be maintained toward the easterly side as a protection along Kingston avenue; that the two existing roof signs facing Lefferts avenue shall be removed and no roof signs shall be constructed; that all permits required shall be obtained and all work complying with this resolution completed within six (6) months from the date of this amended resolution."

192-29-BZ.

APPLICANT—H. A. Mugler, for Veronica Kambourian, owner.

SUBJECT—Application reopened January 3, 1940 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of a gasoline service station (previously granted by the Board).

PREMISES AFFECTED—58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9, 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: H. A. Mugler and V. Kambourian.

For Opposition: Gaetana Valenza, Mary McManus.

Walter H. Merritt and C. C. Frazer.

ACTION OF BOARD—Resolution amended.

MINUTES

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(192-29-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, premises 58-02 to 58-06 Laurel Hill boulevard and 51-01 to 51-05 58th street, southeast corner (Block No. 2342, Lot Nos. 8, 9, 10 and parts of Lot Nos. 6 and 7), Woodside, Borough of Queens, was granted by the Board July 16, 1929, on certain conditions; and

WHEREAS, Veronica Kambourian, owner, requested a reopening of the application under sections 7c and 21 of the building zone resolution, to permit the reconstruction and extension of said gasoline service station; and

WHEREAS, this application was reopened by vote of the Board January 3, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Laurel Hill boulevard and 58th street are in business and residence use districts; 58th place and 52nd avenue are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5976-1939, dated January 16, 1940, reads:

"1. The erection of a gas service station in a business district is contrary to the Zone Law. (Art. II, Sec. 4, sub. 46)."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 91.9 ft. on 58th street and 88.1 ft. on Laurel Hill boulevard; an irregular shaped area at the north portion of the plot, having a frontage of 68.1 ft. on Laurel Hill boulevard and 11.82 ft. on 58th street, is used as a gasoline service station (the remainder of a gas station previously granted by the Board but diminished in area by the Laurel Hill boulevard widening proceedings); it is proposed to occupy the entire plot under consideration as a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 16, 1929, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, to permit the continuation of the existing gasoline station on the reduced plot, and as extended to include portions of Lot Nos. 6 and 7, as indicated on plans filed herein, *on condition* that all existing buildings shall be demolished and the plot shall be leveled substantially to the grade of Laurel Hill boulevard; that the accessory building shall be located toward the center of the plot as indicated; that there shall be constructed on the interior lot lines, southerly and easterly, continuously from 58th street to Laurel Hill boulevard, a wall not less than 6 ft. in height, constructed on both sides of face brick and properly coped; that such wall may be reduced to a height of 4 ft. and for a distance of not over 7 ft. from either street building line; that such wall shall not be painted; that planting areas shall be maintained at all times with suitable planting; that all other parts of the premises shall be cement paved; that gasoline pumps erected shall be not nearer than 15 ft. to either

street building line; that entrances shall be restricted to two not over 25 ft. in width each from Laurel Hill boulevard and two not over 25 ft. in width each from 58th street; that no portion of any curb cut entrance shall be nearer than 5 ft. to the interior lot lines as projected; that at the intersection of 58th street and Laurel Hill boulevard there shall be constructed within the building line a block of concrete not less than 12 in. in height and 7 ft. along each building line from the intersection; that this block may be triangular in shape; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection of a post standard within the building line near the intersection for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale; that no motor vehicle repairing shall be done and no parking of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that before plans are filed with the borough superintendent of buildings, complete working drawings shall be submitted in compliance with this resolution for further consideration of the Board showing the requirements herein set forth; that such plans shall be submitted within one (1) month from the date of this *amended resolution*, and after approval of plans all permits required and all work necessary shall be completed within one (1) year thereafter."

2-40-BZ.

APPLICANT—Kollsman Instrument Company, Incorporated (lessee), for Palotto Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—South side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Joel J. Wiener.

For Opposition: J. J. Flanagan, F. Schultz, John Delrock, M. Dunsley and Charles Mann.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(2-40-BZ)

WHEREAS, Kollsman Instrument Company, Incorporated (lessee), for Palotto Corporation, owner, filed January 2, 1940, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises south side of 45th avenue, 180 ft. east of 80th street (Block No. 1533, Lot No. 45), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 45th avenue is in a business and unrestricted use district; 80th street is in unrestricted, business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 6167-39, dated June 7, 1940, reads:

MINUTES

"The parking of more than 5 cars on a lot located in a business district is contrary to article 2, section 4 of the Zoning Law."

and

WHEREAS, the premises consist of a vacant plot of ground with a frontage of 40 ft. and a depth of 100 ft., which it is proposed to use as a parking space for the applicant's employees; there will be no service rendered or fees charged and the plot will be used in connection with an adjoining lot on 47th avenue, which is located in the unrestricted use district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary period of two (2) years, to permit Lot No. 45 under appeal to be occupied for the transient parking of more than five (5) motor vehicles in conjunction with the lot in the rear of the unrestricted district, Lot No. 69, and limited solely to cars belonging to the officers and employees of the concern operating the factory on Lot No. 36 in the same block, *on condition* that there shall be no entrance from this plot to 45th avenue, and *on further condition* that if there are more cars belonging to the officers and employees of the factory than can be accommodated on Lot Nos. 45 and 69, that the management of the factory will undertake to control such excess parking so that same will not take place on 45th avenue nor on 80th street or north thereof; that along the interior lot lines and the building line of 45th avenue there shall be a substantial chain-link fence constructed and maintained; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

194-40-BZ.

APPLICANT—Helen Lulves, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of an existing dwelling to business use (undertaking establishment).

PREMISES AFFECTED—4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx.

APPEARANCES—

For Applicant: Helen Lulves, Harry Lulves and Frank J. Ross.

For Opposition: Isidore Oshlag, John B. Alfieri, Paul A. Bogan, Victor E. Aceto, Tillie Albus and George Bromm.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(194-40-BZ)

WHEREAS, Helen Lulves, owner, filed February 21, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of an existing dwelling to business use (undertaking establishment); premises 4259 Bronxwood avenue, west side, 165.80 ft. south of East 236th street (Block No. 5001, Lot No. 62), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bronxwood avenue is in a business and residence use district; Pitman avenue and Barnes avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 40-40, dated July 23, 1940, reads:

"1. Business (Undertaking Establishment) prohibited in a Residence District. Sec. 3, Art. 2 of the Building Zone Resolution.

EXAMINATION NOT FURTHER CONSIDERED."

and

WHEREAS, the premises consist of a plot of ground 50 ft. by 78.72 ft. in area, on which is located a two and one-half story non-fireproof building, 19 ft. by 36.14 ft. in area, occupied as a dwelling; it is proposed to change the occupancy of the first story to a funeral parlor and undertaking establishment and as dwellings above; and

WHEREAS, a committee of the Board inspected the plot and area prior to the hearing; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 40-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

302-40-BZ.

APPLICANT—Ferdinand Savignano, for Joseph Molina, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill.

PREMISES AFFECTED—1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

For Opposition: Joseph Bico, Concetta Misiti, Catherine Casioppo, Antoinette Trua, Clara Frangipone and Nancy Boncare.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(302-40-BZ)

WHEREAS, Ferdinand Savignano, for Joseph Molina, owner, filed March 25, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill; premises 1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 60th street is in a business use district; 61st street is in an unrestricted district; New Utrecht avenue is in a business and unrestricted use district; and

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WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 5610-39, dated May 1, 1940, reads:

"Large woodworking shop, which may be classed as a saw and planing mill, located in a business use district, is contrary to B.Z. Resolution, Art. II, Sect. 4-A (31)."

and
WHEREAS, the premises consist of a three-story non-fire-proof building, 20 ft. by 50 ft. in area at first story; occupied as a store on the first story and for two families above; it is proposed to extend the building on the first story to cover the entire plot (40 ft. by 100 ft.) and to change the occupancy of the first story to a saw and planing mill; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under sections 7c and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7c and 21 thereof, for a term of ten (10) years, to permit the premises under appeal to be occupied for a woodworking establishment, arranged and equipped substantially as proposed, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto as well as to the requirements of the State Labor Law as to the cyclone dust and sawdust exhaust system, which shall be installed and maintained at all times; that the building proposed shall not be erected nearer to the street line of 60th street than the front wall of the firehouse on the adjoining plot; that the work of the establishment shall be conducted only between the hours of 8 A.M. and 6 P.M. on working days, exclusive of Sundays and holidays; that no sign shall be erected on the building other than a permanent sign attached to the front of the building; that no windows or doors shall be constructed or maintained in the side or rear walls opening upon the adjoining premises; that the first story of the existing building shall not be used in connection with the proposed woodworking shop, except as offices and showrooms in connection therewith, and shall be separated from the balance of the building by fireproof walls and doors; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

574-40-BZ.

APPLICANT—Lama and Proskauer, for Giuseppe Proscia, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Rose Silecchia.

For Opposition: Solomon Schweitzer, Abe Plesh.

Frank Shapiro and Max Sternbach.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(574-40-BZ)

WHEREAS, Lama and Proskauer, for Giuseppe Proscia, owner, filed May 27, 1940, an application under section 21

of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Carroll street and Fourth avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 2326-40, dated May 20, 1940, reads:

"Proposed change of occupancy of two-story non-fire-proof wagon storage building to a public garage for more than five (5) cars in a business district is contrary to Building Zone Resolution, Art. II, 4-A (15) and Building Code 4.2.1, Classification No. 5."

and

WHEREAS, the premises consist of a plot of ground 55 ft. by 100 ft., on which is located a one and two-story brick building, occupied as stable and wagon storage; it is proposed to alter the building by removing interior partitions and the second story and to occupy the building as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the application was amended at this hearing to include section 7c; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c, to permit the extension of the legal, existing five-car garage so as to include the entire building, *on condition* that the building shall be altered substantially as indicated on plans filed with this application, and shall not be increased in height or area; that the existing curb cut may be extended to not over 20 ft. in width; that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board; that no exterior openings shall be constructed in the lot line walls to the side or rear and any existing openings shall be blocked with approved masonry; that no skylights shall be erected nearer than 10 ft. to the rear side or rear lot line; that this garage shall be occupied solely for the storage of motor vehicles and no repairing carried on except minor adjustments with hand tools may be permitted; that gasoline for sale shall be restricted to capacity of one (1) 550-gallon tank and one pump, which shall be located inside the building, and gasoline shall not be sold to passers-by but solely for the convenience of those storing their automobiles within the building; that no portable gasoline pump shall be used on or from the premises; that signs shall be restricted to a permanent sign attached to facade of the building, excluding all temporary and roof signs, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

Adjourned, 1:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, SEPTEMBER 24, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

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BUILDING ZONE CASES.

110-37-BZ.

APPLICANT—Arnold W. Lederer, for Putnam Theatrical Corporation, owner (Joseph Stoy, lessee).

SUBJECT—Application for consideration—reopening and restoration to Calendar (re decision of the borough superintendent of buildings), under sections 7h, 7f and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57 58, 59, 28 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jerome N. Wanshel.

ACTION OF BOARD—Application reopened and set for hearing October 15, 1940, at 10 A.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

179-37-BZ.

APPLICANT—Irving M. Fenichel, for Louis M. Brann, owner (New Method Service Company, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and restoration to Calendar (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board); (previously withdrawn).

PREMISES AFFECTED—461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application reopened and set for hearing October 15, 1940, at 10 A.M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

461-38-BZ.

APPLICANT—Herman Kron, for Trustees of Columbia University, owner.

SUBJECT—Application for consideration—reopening and rehearing on the basis of new facts—re Application (decision of the borough superintendent of buildings), previously denied under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station.

PREMISES AFFECTED—1910 Broadway, east side, 87 ft. 3 in. south of West 64th street, and 60 West 64th street (Block No. 1116, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, S. Martin Adelman and J. Greenwald.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Not Voting: Assistant Chief McCarthy	1

THE RESOLUTION—

(461-38-BZ)

WHEREAS, William F. Regan, for Trustees of Columbia University, owner (Michael T. Watts, lessee), filed June 6, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station; premises 1910 Broadway, east side, 87 ft. 3 in. south of West 64th street, and 60 West 64th street (Block No. 1116, Lot No. 53), Borough of Manhattan; and

WHEREAS, this application was denied by the Board May 31, 1939; and

WHEREAS, Herman Kron, for Trustees of Columbia University, owner, requested rehearing of the application on the basis of new facts; and

WHEREAS, these premises were inspected by a committee of the Board; and

WHEREAS, the Board deemed there was no basis for reopening.

Resolved, that the request for reopening be and it hereby is *denied*.

542-38-BZ.

APPLICANT—Patrick Quilty, acting chief engineer, for Department of Water Supply, Gas and Electricity, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of an extension to an existing pumping station, extension to be used as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Underhill avenue and Fresh Meadow road (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Judenfreund.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(542-38-BZ)

WHEREAS, Patrick Quilty, for Department of Water Supply, Gas and Electricity, City of New York, owner, filed June 24, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of an extension to an existing pumping station, extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board December 20, 1938, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on December 20, 1938, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution

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and that the application be and it hereby is *granted*, under section 7c thereof, so as to permit the construction of the garage as proposed, *on condition* that such use shall continue only so long as the building is used as a garage in connection with the water works property under the jurisdiction of the Department of Water Supply, Gas and Electricity; that in the event it is desired to construct the proposed garage building without the connecting link, joining same to the existing boiler-room, or as shown on New Building Application No. 5882-40, the original requirements of this resolution may still be deemed to comply, provided all permits are obtained and all work completed within one (1) year from the date of this *amended resolution*."

104-39-BZ.

APPLICANT—Allan B. Bates, for Loro Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—606-612 Grand Concourse, east side, 175 ft. north of East 150th street (Block No. 2443, Lot Nos. 45, 46 and 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Olmstead.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(104-39-BZ)

WHEREAS, this application, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station, premises 606-612 Grand Concourse, east side, 175 ft. north of East 150th street (Block No. 2443, Lot Nos. 45, 46 and 47), Borough of The Bronx, was granted by the Board May 23, 1939, on certain conditions, and the owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1939, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under sections 7c and 21, to permit the plot under appeal to be extended as proposed, and the existing buildings reconstructed substantially as shown on plans filed with this appeal, as amended by revised plans marked 'Received May 19, 1939'; that the plot west of the proposed accessory building shall be leveled substantially to the grade of Grand Concourse; that the accessory building shall be constructed of fireproof materials throughout, except that the roof beams and roof boarding, door frames and doors may be of wood, provided all windows are constructed of steel frames and sash; that there shall be no excavation under the accessory building except for the greasing pits; that the heater room shall be separated from the balance of the building by fireproof construction, enterable only from the rear, as shown; that the rear yard shall be cement paved; that reinforced concrete retaining walls shall be constructed along the railroad right-of-way and shall meet

with the approval of the New York Central Railroad; that above the grade of the gasoline station, this wall shall be constructed with a concrete curb not less than 2 ft. in height with an ornamental wood fence above to a total height of not less than 5 ft.; that the plot where not covered by accessory buildings shall be cement paved; that the pumps shall not be nearer than 10 ft. to the street building line; that the curb cuts shall not exceed two, not exceeding 30 ft. in width each; that along the southerly lot line from the street line of the Concourse to the wall of the accessory building there can be constructed a wall or a facing of existing party wall, agreeing in design with the accessory building, for a height not less than 8 ft.; that no signs shall be erected other than permanent signs attached to the facade of the accessory building and illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the construction within the building line of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that the revised plans marked 'Received May 19, 1939', are hereby *approved* as in substantial compliance with the requirements of this resolution, and that such plans shall be carried out as to arrangement and material shown to be used; that such approval shall not be deemed to disregard additional conditions of this resolution where same are not covered by these plans; that mechanical ventilation shall be provided in connection with the greasing pits from below the main greasing room floor, ventilated to the outer air; that the motor used in connection with the blower shall be of the sparkproof, enclosed type."

APPEALS FROM ADMINISTRATIVE DECISIONS.

354-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N.B. 3110-37.

PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Hugo E. Anderson.

For Owner: A. Wilson.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further inspection by a committee of the Board within next few weeks before determination by the Board.

618-40-A.

APPLICANT—Alfred T. Long, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter S. Glasser.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M., on request of applicant.

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

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SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene Walsh, Murray Silver and S. Brenker.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 1, 1940, at 2 P.M., for inspection by Fire Department.

784-40-A.

APPLICANT—Ampion Corporation (lessee), for Quimby Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Mack L. Kane.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M., for further consideration by the Board.

882-40-A.

APPLICANT—D. A. Collins Manufacturing Company, Incorporated (lessee), for Bush Terminal Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth story), (Block No. 706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Dimin and Sherwood Lowenstein.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M., for further consideration by the Board.

918-40-A.

APPLICANT—Aerocrete Corporation of America, for 530 Park Avenue, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—530 Park avenue, southwest corner of East 61st street (Block No. 1375, Lot Nos. 37 to 41½, inclusive, and parts of Lot Nos. 32, 32½, 33 and 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Denning Miller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 1, 1940, at 2 P.M., for further inspection by a committee of the Board.

648-40-A.

APPLICANT—Martin Tori (M. P. Santini, Incorporated), for Interstate Storage Warehouse, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—10-16 Grand avenue, west side, 80 ft. 11 in. south of Flushing avenue (Block No. 1877, part of Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Serri and Martin Tori.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4
Negative 0

502-40-A.

APPLICANT—Ansonia Fire Prevention Company, for Arthur Drayer and Son, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(502-40-A)

WHEREAS, Ansonia Fire Prevention Company, for Arthur Drayer and Son, Incorporated, owner, filed May 10, 1940, an appeal from an order and a decision of the fire commissioner; premises 130 Union avenue, east side, 100 ft. north of Leyden avenue (Block No. 190, Lot No. 32), Mariners Harbor, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, Order No. 7080-LF, dated February 1, 1940, reads:

"Install an approved yard hydrant system arranged and equipped as per Art. 17, Ch. 26, Adm. Code."

and
WHEREAS, the decision of the fire commissioner, dated February 24, 1940, reads:

"In reply to your request for reconsideration on Order 7080 LF, requiring a yard hydrant system in the above premises. Inspection shows a lumber yard and lumber storage buildings covering an area in excess of 15,000 sq. feet and requires a yard hydrant system under Art. 17, Ch. 26, Administrative Code. Your request must therefore be denied."

and

WHEREAS, the building is one story (30 ft.) in height, 180 ft. by 540 ft. in area; of Class 3 construction; located in an unrestricted use C area district; erected in 1920, and occupied as a lumber yard, 25 persons; and

WHEREAS, the applicant contends that the premises are used throughout for the storage and shipping of lumber, coal and building materials; that the amount of lumber stored is small and piles are limited to a height of 12 ft.; that the area of the yard is approximately 90,000 sq. ft.; that the yard is open on all sides, having three street fronts, with the fourth side a general railroad right-of-way; that there are five city hydrants located adjacent to the property in question, as well as two fire alarm boxes; that the premises present no hazard and are amply and adequately protected; that the installation of the yard hydrant system would not increase the protection to any appreciable extent; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order

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No. 7080-LF, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

614-40-A.

APPLICANT—Nathan Fishman, for Wikon Realty Corporation, owner (Fishman Brothers, lessees).

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Murray Silver, S. Brenker, Nathan Fishman and Eugene Walsh.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy	3
Negative	0
Not Voting: Commissioner Savage	1

THE RESOLUTION—

(614-40-A)

WHEREAS, Nathan Fishman, for Wikon Realty Corporation, owner, filed June 7, 1940, an appeal from a decision—re an order of the fire commissioner; premises 75 Rutgers Slip, east side, 38.3 ft. south of Cherry street (Block No. 247, Lot No. 25), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 20873-LC, dated February 7, 1940, reads:

“Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Install an approved fire extinguishing system, for instance, an automatic sprinkler system. Sec. C-19-149.0-C-4, Art. 26, Administrative Code.”

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated May 27, 1940; and

WHEREAS, the building is five stories (52 ft.) in height, 18.1 ft. by 63 ft. in area; of Class 6 construction; erected in 1907; located in a business use C area district, and occupied since 1925 as follows: first story, storage of baled wool and rags, 1 person; second story, storage of loose wool and rags, 3 persons; third story, same, 1 person; fourth story, storage of baled wool and rags, no persons; fifth story, storage of baled wool and rags, no persons; and

WHEREAS, the applicant contends that the business has been conducted since 1925 at the present location without any fires having occurred; that the area of the building is small; that ceilings are metal covered; that fire escapes are equipped with fireproof windows; that the building is enclosed with 12 in. and 16 in. brick walls; that the rear windows are equipped with metal shutters; that only two floors are used for open stock; that never more than five people occupy the building at any one time; that the rags handled are wool only; that the present permit is for ten tons; that it is proposed to reduce the amount stored to five tons, of which not more than two tons will be loose; that there are two high-pressure hydrants located within 100 ft. of the premises, two low-pressure hydrants located within 100 ft., and a fire alarm box within 50 ft. of the premises; that there are no tenement houses on the block or within 200 ft. of the premises; that the building is of mill type construction; that it is proposed to install, in addition to the present number of required fire pails, two approved non-freezing large size chemical extinguishers on each floor where open stock is stored and one such extinguisher on each floor containing baled material; that the installation of an automatic sprinkler system as required by the order would be costly and impractical in view of the low ceiling of the building; that compliance with the order would result in hardship to the

owner as large rentals cannot be obtained in this class of business; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 20873-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building, except in the cellar space, a non-automatic dry sprinkler system complying with the requirements of the building code therefor; that all hangers and fittings shall be of malleable iron; that there shall be maintained in the building a thermostatic alarm system connected with the central district headquarters; that this variation shall continue only as long as the building is maintained substantially as set forth and in compliance with the requirements of this resolution.

635-40-A.

APPLICANT—Oscar Wiseman (lessee), for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene Walsh and Abraham D. Wiseman.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy	3
Negative	0
Not Voting: Commissioner Savage	1

THE RESOLUTION—

(635-40-A)

WHEREAS, Oscar Wiseman, for Wikon Realty Corporation, owner, filed June 10, 1940, an appeal from a decision—re an order of the fire commissioner; premises 261 South street, north side, 24.7 ft. east of Rutgers Slip (Block No. 247, Lot No. 2), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 19787-LC, dated November 21, 1939, reads:

“Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Install an approved fire extinguishing system, for instance, an automatic sprinkler system. Sec. C-19-149.0-C-4, Art. 26, Administrative Code.”

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated May 31, 1940; and

WHEREAS, the building is five stories (52 ft.) in height, 23 ft. 8½ in. by 68 ft. 8 in. in area; of Class 6 construction; erected in 1907; located in a business use C area district, and occupied since 1920 as follows: first story, storage of baled wool and rags, no persons; second story, office and storage of baled wool and rags, 2 persons; third story, storage of loose wool and rags, 1 person; fourth story, stripping wool and rags, 2 persons; fifth story, sorting of wool and rags, 3 persons; and

WHEREAS, the applicant contends that the business has been conducted at the present location for twenty years; that during that time no fire has occurred, except for a fire which occurred in an adjacent building, which has no connection to the premises in question; that there are never more than eight people employed in the building at any one time; that the building is of mill type construction and equipped with a fire escape on the South street side with fireproof windows on the course thereto; that the rear windows are equipped with iron shutters; that the building is located within 25 ft.

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of the high-pressure hydrant, 150 ft. of a fire alarm box and 30 ft. of a low-pressure hydrant; that additional fire-fighting facilities can be provided with fire boat protection in view of its location within 125 ft. of the East River; that there are no tenement houses on the block nor within 250 ft. of the building; that the wools regularly stored are of slow burning quality; that the floor area of the building is small; that the building is enclosed with 12 in. and 16 in. brick walls; that the windows on the front of the building are fireproof; that not more than two tons of open stock are stored on the premises; that it is proposed to install, in addition to the present required fire pails, two approved non-freezing large size chemical extinguishers on each floor where there is open stock, and one such extinguisher on each floor containing baled material; that the installation of an automatic sprinkler system as required by the order would be costly and impractical in view of the low type of ceiling in the building; that the enforcement of the order would result in hardship to the owner as this type of use does not yield large rentals; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 19787-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building, except in the cellar space, a non-automatic dry sprinkler system complying with the requirements of the building code therefor; that all hangers and fittings shall be of malleable iron; that there shall be maintained in the building a thermostatic alarm system connected with the central district headquarters; that this variation shall continue only as long as the building is maintained substantially as set forth and in compliance with the requirements of this resolution.

704-40-A.

APPLICANT—Joseph H. Cornell (Brooklyn Jewish Home for Convalescents), for Manufacturers Trust Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: A. Berres and J. H. Cornell.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(704-40-A)

WHEREAS, Joseph H. Cornell, for Manufacturers Trust Company, owner, filed June 27, 1940, an appeal from a decision of the borough superintendent of buildings; premises 12-14 Heyson road (Sea Girt avenue), northeast corner of Beach 13th street (Block No. 118, Lot No. 28), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 4828-40, dated June 17, 1940, reads:

"1. The change of occupancy from a multiple dwelling to a public building (convalescent home) is contrary to Sec. 4.2.1, N.Y. B. Code.

2. If occupancy created is for business purposes then it is contrary to Sec. 3 Building Zone Res."

and

WHEREAS, the building is three stories (38 ft.) in height,

98 ft. by 101 ft. in area; of Class 3 construction; equipped with a standpipe system; located in a residence use D area district; erected in 1926, and occupied: cellar, vacant; first story, seven bedrooms, 14 persons; second story, twenty-three bedrooms, 46 persons; third story, twenty-three bedrooms, 46 persons; it is proposed to occupy the building: cellar, vacant; first story, seven bedrooms, 14 persons; second story, twenty-three bedrooms, 46 persons; third story, twenty-three bedrooms, 40 persons; and

WHEREAS, the applicant contends that the building will be used as a convalescent home; that no bed cases will be housed in the building; that the persons residing in the building will be housed only during a period of recuperation, and no hospitalization will be carried on in the building; that the occupancy will be operated for charitable purposes only; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the use as proposed should not be permitted in this non-fireproof multiple dwelling.

Resolved, that the decision of the borough superintendent of buildings, acting on Miscellaneous Application No. 4828-40, Objection No. 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

737-40-A.

APPLICANT—Jack Z. Cohen, for 794 Columbus Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo Keiser.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(737-40-A)

WHEREAS, Jack Z. Cohen, for 794 Columbus Avenue Corporation, owner, filed July 3, 1940, an appeal from a decision of the acting borough superintendent of buildings; premises 794 Columbus avenue and 100-102 West 99th street, southwest corner (Block No. 1853, Lot No. 36), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent of buildings, on Alteration Application No. 1206-40, dated June 3, 1940, reads:

"1. Marquee is in violation of Section 2.4.1.4.8 of the Building Code."

and

WHEREAS, the building is five stories (55 ft.) in height, 25 ft. 11 in. by 75 ft. in area at first story and 25 ft. 11 in. by 67 ft. in area at typical floor level; of Class 3 construction; located in a business use B area district; erected in 1900, and occupied: cellar, ordinary use; first story, stores; second to fifth stories, dwelling, two families each floor; no change in occupancy proposed; and

WHEREAS, the applicant contends that the question involved is an 8 ft. wide marquee proposed to be erected on the West 99th street side of the building; that while these premises are not on a market street, the first story is used as a market and it is necessary to have the proposed marquee for the protection of merchandise being delivered in all kinds of weather; that merchandise is now delivered on the Columbus avenue side of the building, which is a busy thorough-

MINUTES

fare; that the construction of the proposed marquee will eliminate the unloading on Columbus avenue and confine the same to West 99th street; that the premises are used as an old-established market; that the marquee in question will be small; that a modification of the requirements of the Code is requested to permit the construction of the marquee as proposed; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 1206-40, Objection No. 1, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

750-40-A.

APPLICANT—Boris W. Dorfman, for Home Owners' Loan Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue S (Block No. 7088, Lot No. 87), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bertram L. Bassuk.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(750-40-A)

WHEREAS, Boris W. Dorfman, for Home Owners' Loan Corporation, owner, filed July 8, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1925 Ocean parkway, east side, 185 ft. 4 in. south of Avenue S (Block No. 7088, Lot No. 87), Borough of Brooklyn;

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2708-40, dated July 1940, reads:

"1. Home for convalescents considered hospital; therefore, proposed change of occupancy to same from dwelling not permitted in non-fireproof building, 2 stories in height. Secs. 2-1-3-5 & 4.2.1 of the Code. Above application is hereby *denied*."

WHEREAS, the building is two stories (25 ft.) in height, 185 ft. 4 in. by 76 ft. in area; of Class 3 construction; located in a residence use D area district, and proposed to be occupied: basement, storage and kitchen; first story, convalescent home; second story, convalescent home; and

WHEREAS, the applicant contends that it is proposed to eliminate the kitchens on the first and second stories, provide an additional water-closet and pantry on each story, install a kitchen in the basement, install a new dumbwaiter shaft enclosed in 3 in. plaster blocks with fireproof doors, and to use the home for convalescents; that the building is only two stories in height, of brick and tile construction, and heated by a central heating plant; that the building has two stairways, is fully detached, and contains a large number of windows; that the use of the building would be permitted by the Building Department for furnished rooms, but that a certificate of occupancy for a convalescent home is required, so that permission to use the building for this purpose may be granted by the Department of Hospitals; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 2708-40,

Objection No. 1, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

783-40-A.

APPLICANT—Milton B. Weissman, for Bella W. Rosenbaum (Mallay Nursery School, lessee), owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton B. Weissman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(783-40-A)

WHEREAS, Milton B. Weissman, for Bella W. Rosenbaum, owner, filed July 12, 1940, an appeal from a decision of the borough superintendent of buildings; premises 223-233 Marlborough road and 1501-1507 Beverly road, northeast corner (Block No. 5119, Lot No. 43), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3359-40, dated July 9, 1940, reads:

"1. Changing occupancy from one family residence to one family and kindergarten in a frame building is contrary to Sections 2-1-3-5 and 4-2-1 of Building Code."

and

WHEREAS, the building is two stories and attic (29 ft.) in height, 27 ft. by 55 ft. in area; of Class 4 construction; located in a residence use F area district; erected in 1920, and occupied as a one-family dwelling with unfinished attic; it is proposed to occupy the building: cellar, ordinary use; first and second stories, one-family dwelling, in conjunction with a kindergarten and day nursery for thirty children, occupancy thirty-two persons; attic, unfinished and vacant; and

WHEREAS, the applicant contends that the building has been occupied as proposed for the past four years; that classes are conducted between 9:00 A.M. and 3:00 P.M. under the competent supervision of teachers; that the classrooms are well ventilated and the buildings are equipped with two separate exits leading to the exterior without any obstruction; that the school is recognized by the State Education Department; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 3359-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and that the lot shall not be reduced; that the school as proposed shall be restricted to the use of the first story only; that the ceilings throughout the cellar shall be fire-retarded in accordance with the rules of the Board; that the door leading to the cellar shall be made fireproof and self-closing; that the upper portion of the building shall be used solely as a single family residence; that the existing exits shall be maintained, and granted only as long as the use is continued as proposed and herein permitted.

794-40-A.

APPLICANT—Jack Z. Cohen, for Lea Shiffman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(794-40-A)

WHEREAS, Jack Z. Cohen, for Lea Shiffman, owner, filed July 16, 1940, an appeal from an order and a decision of the fire commissioner; premises 6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4631-LF, dated April 19, 1940, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order to:

1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated June 17, 1940; and

WHEREAS, the building is one and three stories (32 ft.) in height, 41 ft. 2 in. by 80 ft. in area; of Class 3 construction; erected in 1909; located in a business use C area district, and occupied since 1929 as follows: No. 6914 Fifth avenue—cellar, storage; first story, stores; second and third stories, one family each story; No. 6918 Fifth avenue—cellar, storage; first story, store; second story, storage of light toys and baby carriages; third story, one family; it is proposed to occupy the building as at present and without change; and

WHEREAS, the applicant contends that the owner has occupied these buildings for eleven years; that the cellars have metal ceilings and concrete floors; that egress can be had by means of outside stairs leading from cellar to street from each building; that both buildings are served by the one heating plant located in 6918 Fifth avenue, which heating plant is enclosed in a fireproof boiler-room; that the cellars are used as stock rooms where merchandise is kept in its original packages; that proper aisles are maintained at all times; that in view of these facts, the owner respectfully requests a modification of the order; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 4631-LF, Objection No. 1, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

65-39-A.

APPLICANT—Brook Refrigeration Company, Incorporated, for the D. and H. Holding Corporation and Astern Packing Corporation, owners (City Provision Company, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—512-522 East 152nd street, 601-605 Brook avenue, southwest corner, and 455-459 Westchester avenue, north side, 82 ft. 8½ in. west of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham Greenberg.

ACTION OF BOARD—Appeal reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

483-27-A.

APPLICANT—Leon Levy and Lionel Levy, for 48 Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and rehearing on new proposal—re Appeal from a decision of the acting borough superintendent of buildings (previously denied).

PREMISES AFFECTED—48 West 86th street, south side, 125 ft. east of Columbus avenue (Block No. 1199, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: John Leonard.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(483-27-A)

WHEREAS, this appeal from a decision of the superintendent of buildings, premises 48 West 86th street, south side, 125 ft. east of Columbus avenue (Block No. 1199, Lot No. 59), Borough of Manhattan, was denied by the Board September 20, 1927; and

WHEREAS, Leon Levy and Lionel Levy, for 48 Realty Corporation, owner, requested rehearing of the appeal on the basis of new facts; and

WHEREAS, this appeal was reopened by vote of the Board and

WHEREAS, the building is non-fireproof, five stories (61 ft.) in height, 25 ft. by 92 ft. 2 in., irregular, in area; occupied for school purposes: first story, auditorium and offices, 5 persons; second story, classrooms, 30 pupils; third story, classrooms, 30 pupils; fourth story, classrooms, 30 pupils; fifth story, caretaker's apartment; and

WHEREAS, after the appeal was denied on September 20, 1927, the Building Department permitted the building to be used for school purposes within the height of 40 ft. under section 72 of the Building Code, then in effect, and certificate of occupancy was issued for this use, with the fourth and fifth stories to be used for residence purposes and not for school purposes; and

WHEREAS, Alteration Application No. 1957-40 has been filed with Department of Housing and Buildings for certain alterations to the building and for permission to occupy the building throughout for school purposes; and

WHEREAS, the borough superintendent of buildings has denied the application as to fourth and fifth stories, and this appeal has been filed with this Board for a modification and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Alteration Application No. 1957-40

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Item 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar, except in the heater room, a sprinkler system complying with all the requirements of the Building Code therefor, except that in lieu of a siamese a single hose outlet may be installed, and the water for such sprinkler system may be supplied from the domestic supply of the building, provided such supply is not less than 2 in. in diameter; that this sprinkler system shall also be continued to the first story with not less than two (2) sprinkler heads installed in the area in the auditorium used for stage; that any curtains or other draperies used in connection with auditorium shall be flameproofed in accordance with the rules of the Board of Standards and Appeals; that all grilles on rear or front windows shall be removed; that the rear stairway shall be reconstructed so that all winders for its entire height shall be eliminated; that the width of treads of such newly constructed or altered stairway shall be not less than the present width; that the exit to the rear, substantially at grade, shall be maintained, and the exit through fence to adjoining premises shall be maintained, and a letter of authorization from adjoining owner, permitting such exiting across the premises, shall be filed with the borough superintendent; that any children under eight years of age shall not be permitted above the third story; that on both stairways, in addition to the required hand-rail, another one of lower height shall be provided below the fourth story; that such fire-fighting appliances shall be installed as the fire commissioner shall direct; that the fire alarm system shall be maintained to the satisfaction of the fire commissioner, and drills shall be held at frequent intervals; that the existing exits shall not be reduced; that all exit doors shall be opened outwardly and shall be left readily openable at all times during school hours; that this also shall apply to the existing stairways to roof; that the exits shall be provided with exit signs and lights; that this variance shall continue only so long as the building is occupied as herein permitted, as a private school, and the requirements of this resolution be complied with, and that in all other respects the building occupancy shall comply with all rules and regulations applicable thereto.

40-A.
APPLICANT—Brooklyn Waste Company (lessee), for Dora Janovsky and Alice Dworkin, owners.
SUBJECT—Application for consideration—reopening and restoration to Calendar (previously dismissed for lack of prosecution)—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—46-48 Fulton street, south side, 147.4 ft. west of Hicks street (Block No. 202, Lot No. 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: Joseph Frank.
ACTION OF BOARD—Appeal, reopened, restored to Calendar and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy..... 3
Negative 0 || Not Voting: Commissioner Savage..... | 1 |

THE RESOLUTION—

(78-40-A)

WHEREAS, Brooklyn Waste Company, lessee, for Dora Janovsky and Alice Dworkin, owners, filed January 22, 1940, an appeal from an order of the fire commissioner; premises 46-48 Fulton street, south side, 147.4 ft. west of

Hicks street (Block No. 202, Lot No. 12), Borough of Brooklyn; and

WHEREAS, this appeal was dismissed for lack of prosecution July 19, 1940, and the applicant requested reopening of the appeal and restoration to the Calendar; and

WHEREAS, this appeal was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, the order of the fire commissioner, Order No. 82058-LC, dated December 21, 1939, reads:

"1. Provide a separate and distinct system of automatic sprinklers throughout building having at least one source of water supply, arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, the building is four stories (34 ft. 7 in.) in height, 41.5 ft. by 98.7 ft. in area; of Class 3 construction; located in an unrestricted use A area district; erected prior to 1874, and occupied since 1937 as follows: cellar, storage of wool and cotton waste, no persons; first story, storage of cotton waste, 2 persons; second story, storage of cotton waste, 10 persons; third story, storage of cotton waste, no persons; fourth story, photographer, 8 persons; it is proposed to occupy the building without change throughout; and

WHEREAS, the applicant contends that the cost of complying with the order would be prohibitive; that about a year ago the Fire Department directed the lessee to install metal ceilings and upon such installation granted permit for the storage of cotton waste; that such ceilings were installed, relying upon the representation of the Department that such improvement would be sufficient to entitle the lessee to a permit; that the use has remained the same since issuance of said permit.

Resolved, that the order of the fire commissioner, Order No. 82058-LC, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic sprinkler system complying with the requirements of the Building Code therefor, except that the hangers and fittings shall be of malleable iron; that there shall be maintained throughout the building a thermostatic alarm with general Central Office connection, and that this variance shall continue only so long as the building is occupied substantially as proposed and complies in all other respects with all laws, rules and regulations applicable to the building occupancy, other than as modified by the Board under Cal. No. 418-18-S.

APPLIANCES SUBMITTED FOR APPROVAL.

322-30-SA.

APPLICANT—Weatherall Engineers, Incorporated, present owner (successors to Braden Engineering, Incorporated, former owner).

SUBJECT—Application for consideration—reopening and amendment—re Braden Fuel Oil Burner, approval of new model numbers XLA, AL, W, CL, XLNT and XLNC.

APPEARANCES—

For Applicant: J. A. Stimmles.

ACTION OF BOARD—Application reopened and referred to engineer for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

426-38-SA.

APPLICANT—American Radiator and Standard Sanitary Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Arcoflame Oil Burner—re approval

MINUTES

of new Models D and DF and Arcoflame Heating Unit (Boiler-Burner Unit), Models 64 and 65.

APPEARANCES—

For Applicant: H. Werker.

ACTION OF BOARD—Application reopened and referred to engineer for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

34-40-SA.

APPLICANT—Sidney L. Strauss, for Kennedy Valve Manufacturing Company, owner.

SUBJECT—Kennedy Motorized U.S. and Y. Fireline Valve, approval of motorizing of.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(34-40-SA)

WHEREAS, Sidney L. Strauss, for Kennedy Valve Manufacturing Company, owner, filed January 10, 1940, an application with the Board of Standards and Appeals for approval of the *motorizing* of the appliance known as the Kennedy O.S. & Y. Fireline Valve; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 26, 1940.

Re: Cal. No. 34-1940-SA.

Subject: Kennedy O.S. and Y. Fireline Valve, motorizing of.

Sidney L. Strauss, for Kennedy Valve Manufacturing Company, owner, filed January 10, 1940, an application with the Board of Standards and Appeals for approval of the *motorizing* of the Kennedy O.S. & Y. Valve under the provisions of C26-1383.0 (16.1.3) and C-26-1396.0 (16.4.7.1). The Kennedy O.S. & Y. Gate Valve without motorizing equipment was approved by the Fire Department September 4, 1929 for use on standpipe systems.

The motorized valve was operated and tested at the New Criminal Courts Building on July 19, 1940, in the presence of the committee of the Board and representatives of the Fire Department, Public Works, P.W.A., the architect, contractors, etc.

The Kennedy O.S. & Y. motorized valve was installed for test to be operated from a remote point by electric motor as a breakdown valve in standpipe system on 6 in. riser No. 2 in the Prison Building on Centre Street at the tenth story, 153 ft. above grade. The valve has a cast iron body 175 lbs. W.W.P. Kennedy F.M. with a 3600 RPM (Type BBI) Torque motor (2 sq. ft) with housing attachment provided by Cutler-Hammer, with controls arranged for remote operation.

The electrical operation is by three push-buttons, to open, to close and to stop valve through a relay control panel to valve motor. A Fire Department pumper was secured to a siamese on Baxter and White Streets and a hose line attached to outlet No. 1 riser on twelfth

story level. The pumper operator was instructed to build up and maintain a pressure of not less than 100 p.s.i. at all times at roof outlet. The pumper was started and the valve operated to open stop and close at from 110 to 130 lbs. pressure p.s.i. for 12 minutes.

When the valve was closed under motor operation, it was opened by hand in 20 seconds. The valve was also opened by motor operation and closed by hand. The valve motor is fully enclosed and operates at 3600 r.p.m. The center shaft at 80 r.p.m. and valve stem at 40 r.p.m. Hand pressure was applied by two men while the valve was under motor operation and it was impossible to stop or stall the motor. Each completed spur or closed position of the valve was indicated by the red or green light over the button.

On the basis of the test the Committee recommends that the Kennedy Motorized O.S. & Y. Valve, as approved by the Fire Department without motorization, be approved for use in New York City under C-26-1383.0 (16.4.7.1 and 16.1.3) Administrative Building Code, on condition that the motorization, installation and operation be in accordance with the requirements of this report and the following additional conditions:

1. That a suitable current supervisory alarm panel having an indicating relay for each phase of the current of motor valve control be provided. This alarm is to be equipped with an 8 in. alarm gong and a 3 in. trouble bell. The cabinet housing this current supervisory panel is to be located adjacent to the push button controls.

2. That the valve control shall be of the double line break type.

3. That all local switches located in sight of valve motors shall be contained in a metal cabinet, securely locked, the key to be in charge of the certified standpipe operators.

4. The valve relay control panels and operating boxes to be housed in a heavy metal box glazed with a clear plate glass and fitted with a Fire Department lock painted *Red* with 2 in. white letters to read: "Standpipe Remote Control Valves." Each operation box is to show the number of each valve—by a green light that valve is open and by a red light that valve is closed. A blue or white print elevation showing all standpipe risers and all remote control valves and number of each remote control valve shall be enclosed in a glass frame and be posted at remote control operation box.

5. Each valve shall be tested after installation by the Fire Department at such pressures and in such manner as deemed necessary by the Fire Department. Such working pressures are not to be in excess of the required water working pressure approved for the body of the valve. The Fire Department is to be notified of each such installation.

6. There shall be permanently attached to each valve installed a metal plate reading: "Motorizing of this valve approved by the Board of Standards and Appeals for use in New York City under Cal. No. 34-40-SA."

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Test

and

WHEREAS, this report recommended approval of the *motorizing* of this appliance.

Resolved, that the Board of Standards and Appeals do hereby *approve* the *motorizing* of the appliance known as the Kennedy O.S. & Y. Fireline Valve, on condition that

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the appliance be manufactured, installed, operated, and labeled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

486-39-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Sheetrock and Samson Wallboard, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(486-39-SM)

WHEREAS, United States Gypsum Company, owner, filed March 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Sheetrock and Samson Wallboard; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 10, 1940.

Re: Cal. No. 486-39-SM.

Subject: Sheetrock and Samson Wallboard.

The United States Gypsum Company of Chicago, Illinois, filed on March 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as:

1. SHEETROCK

- (a) Sheetrock (Square Edge)
- (b) Sheetrock (Recessed Edge)
- (c) Wood Grained Sheetrock
- (d) Sheetrock Panelwood
- (e) Insulating Sheetrock
- (f) Sheetrock Tile Board and Sheetrock Joint Treatment

2. SAMSON WALLBOARD

- (a) Samson Wallboard (Square Edge)
- (b) Samson Wallboard (Recessed Edge)
- (c) Samson Wood Grained Wallboard
- (d) Samson Panelwood
- (e) Samson Insulating Gypsum Wallboard
- (f) Samson Tile Board and Samson Tape and Wallboard Finisher.

The request for approval is for the use of such material as hereinafter provided under the pertinent provisions of the Administrative Building Code.

SHEETROCK and SAMSON WALLBOARD consist of sheets or slabs composed of gypsum, reinforced on the surfaces with a covering of paper designed to receive decoration. Gypsum wallboards are building units, which, without the addition of plaster, furnished to interior walls or ceilings a surface which may or may not be further decorated.

SHEETROCK and SAMSON WALLBOARD is made in a continuous process, being formed in one continuously moving long slab during which the wet plaster is shaped to the desired width and thickness while moving forward on a carrier. In the manufacturing process the calcined gypsum is conveyed to a mixer where water is added and after a thorough mixing is discharged to the paper. After the wet mix has been uniformly distributed, another layer of paper is applied and a completion of edges effected. The resulting sheet then passes under a roll which is set to give the board

the desired thickness. The material proceeds as a continuous board until the plaster sets and hardens, finally meeting a kiln which cuts the hardened plaster wallboard to the desired length. The individual pieces of wallboard are dried to remove the excess water not chemically combined in the gypsum. After passing through the drying kiln the board is identified, bundled, and made ready for shipment.

This board is available in the following sizes:

Thickness	Width	Length
$\frac{3}{8}$ in. and $\frac{1}{2}$ in.	32 in. and 48 in.	4 ft., 5 ft., 6 ft., 7 ft., 8 ft., 9 ft., 10 ft., 11 ft., 12 ft., 8 ft., 9 ft., 10 ft.
$\frac{1}{2}$ in.	36 in.	

Edges are square, recessed or not recessed.
 $\frac{1}{2}$ in. 36 in. and 48 in. 8 ft., 9 ft., 10 ft.

SHEETROCK (Recessed Edge) and SAMSON WALLBOARD (recessed edge) have a depression on the face of the board along the long folded edge to take the joint system tape and produce level joints easier.

WOODGRAINED SHEETROCK and SAMSON WOOD GRAINED WALLBOARD have a face of photographic reproductions of matched walnut, regular walnut, Douglas fir and knotty pine.

SHEETROCK PANELWOOD and SAMSON PANELWOOD are standard square edge board to the face of which has been applied a genuine wood veneer.

INSULATING SHEETROCK and SAMSON INSULATING GYPSUM WALLBOARD are standard square edge or recessed edge board with an aluminum foil backing.

SHEETROCK TILE BOARD and SAMSON TILE BOARD are standard square edge board on which tile have been formed by simulating joints formed by depressing the board slightly. Tile produced are $4\frac{1}{4}$ in. x $4\frac{1}{4}$ in. with $\frac{1}{8}$ in. space between.

SHEETROCK JOINT TREATMENT and SAMSON TAPE and WALLBOARD FINISHER are a method of construction by which the wallboard are "laced" by reinforcing them with a tough perforated fibrous tape bonded to the board with a joint cement. The tape is 2-3/16 in. wide with beveled edges. A perforated metal tape or a specially woven and processed fabric reinforcing may also be used.

Tests were made on Sheetrock by Cornell University in 1939 to determine its compliance with Federal Specifications SS-W-51a for Gypsum Wallboard. Results are as follows:

		—Load Pounds—			
		Knife Edges Across Fiber of Surfacing		Knife Edges Parallel to Fibre of Surfacing	
Board Thickness (Inches)	Bond	Spec. Require-ment	Re-sults	Spec. Require-ment	Re-sults
$\frac{3}{8}$ in. Sheetrock	O.K. No Break	80	130	34	41
$\frac{1}{2}$ in. Sheetrock	O.K. No Break	105	165	45	63

On the basis of the foregoing data the Committee recommends the approval of SHEETROCK and SAMSON GYPSUM WALLBOARD as manufactured and of the specifications contained herein specifically as follows:

$\frac{3}{8}$ in. and $\frac{1}{2}$ in. SHEETROCK and SAMSON WALLBOARD.

Approval of this material is recommended under C26-191.0 (2.2.3) and C26-241.0 (3.2.3) and C-26-242.0 (3.2.4) of the Administrative Building Code, as an interior wallboard for use on partitions and ceilings not required to have fire resistance rating when applied in

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accordance with applicants standards and specifications.

Additional recommended uses for $\frac{3}{8}$ in. and $\frac{1}{2}$ in. Sheetrock and Samson Gypsum Wallboard:

For use in the construction of a subdividing partition in Class I, fireproof structures, one hundred fifty feet or less in height, and Class II, fire-protected structures, to subdivide rooms or spaces five thousand square feet or less in area, as provided under C26-667.0 sub. par. 5 (10.9.2.5).

Sheetrock and Samson Gypsum Wallboard $\frac{1}{2}$ in. in thickness is also recommended for approval as a one hour fireproof partition when installed in accordance with the requirements of C26-636.0 subdivision 11a and 11b (10.4.3.1) of Administrative Building Code.

The applicant has furnished test data of a one-hour fire test conducted at the National Bureau of Standards Tests TG 3619-44, FR 1784 (131) on $\frac{1}{2}$ in. Sheetrock applied in accordance with the specifications of the applicant, to both sides of a 2 in. x 4 in. combustible stud partition with the spaces between the studs and the facings filled with Fibre Glass Insulating Wool approved under Cal. 12-39-SM. Results of the test were as follows:

Filling		Fire Endurance Period	
Form	Density	Bearing	Non-Bearing
$\frac{1}{2}$ in. Sheetrock Bats, not nailed	.6 to 1.2		1 hr.
$\frac{1}{2}$ in. Sheetrock Bats, nailed	.6 to 1.2	1 hr.	1 hr.

On the basis of this test and data, the Committee recommends the approval of $\frac{1}{2}$ in. Sheetrock and Samson Gypsum Wallboard applied to combustible stud and the spaces between studs and facings filled with Fibre Glass Insulating Wool bats nailed to studs, as a one-hour partition under C26-636.0 (10.4.3.1 par. 11 c.) except that when used in load bearing partitions the fibre glass bats shall be nailed.

Approval is also recommended for the use of $\frac{1}{2}$ in. Sheetrock and Samson Gypsum Wallboard as a fire-retarding material under the "Fire-Retarding Rules and Regulations of the Tenement House Department." Under date of March 24, 1939, Departmental Order HD-839 was issued by the Deputy Commissioner, Division of Housing, Department of Housing and Buildings, City of New York, permitting the use of this material for such use.

The Committee further recommends that the sheets or bundles, whichever way these materials are shipped, shall be stencilled, labelled or marked reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 486-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Sheetrock and Samson Wallboard, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report

1428-39-SM.

APPLICANT—Cornell Iron Works, Incorporated, owner.

SUBJECT—Cornell Rolling Steel Door, Llenroc Type, approval of.

APPEARANCES—

For Applicant: M. J. Graef.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1428-39-SM)

WHEREAS, Cornell Iron Works, Inc., owner, filed November 21, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Cornell Rolling Steel Door, Llenroc Type; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 17, 1940.

Re: Cal. No. 1428-39-SM.

Subject: Cornell Rolling Steel Door, Llenroc Type, approval of.

The Cornell Iron Works, Inc., Long Island City, New York, filed on November 21, 1939, an application with the Board of Standards and Appeals for approval of the Cornell Rolling Steel Door, Llenroc Type, under the provisions of Sections C26-610.0 (10.1.18) and C26-660.0 (10.8.1), Administrative Building Code.

The test door (Fig. 1) was constructed at the factory of the applicant, Long Island City, New York, in accordance with the following specifications:

The test assembly was designed for an opening in a fire wall 9 feet wide and 10 feet high. The curtain was formed of a series of galvanized steel slats, interlocking along their adjacent horizontal edges to which was attached a bottom bar, top bar, slide-bolts (when required) and handles (for manual operation). The bottom fire and one-half slats were made of stainless steel (so as to observe the behavior of stainless steel in a fire). The bottom slat was reinforced to form the bottom bar. The slats were 20 gauge and approximately 3- $\frac{1}{2}$ inches wide from center to center of locks, hinged together by interlocks formed on the horizontal edges. The end of each slat was provided with malleable iron edge guards, so as to prevent lateral movement of the slats and also provides a wearing surface on both sides where contact with the wall guides is made. It also serves as a flame stop. Each edge guard was secured to the slats by two 3/16 in. rivets. The curtain extended from the sill to the center of the shaft or barrel, and thence around the shaft a distance equal to one-half the circumference of the rings on the shaft, the vertical edges extending into the guides 2- $\frac{1}{2}$ inches on either side. The guides were 3-5/16 in. deep. The bottom bar was made of 2 in. by 2 in. by $\frac{1}{8}$ in. stainless steel angles with the bottom half slat mounted between. All three members were bolted together by 3/16 in. bolts spaced 12 in. o.c., each member having slotted holes to permit expansion up to 3/16 in. per foot with each bolt having a galvanized steel washer on each side. The horizontal leg of the angle was cut away at each end so that the vertical leg entered the wall guides a distance of 2-9/16 in. The top bar was formed by the top slat reinforced with a $\frac{3}{4}$ x $\frac{1}{8}$ in. bar as long as the width of the curtain, the two members being held together by 3/16 in. rivets 12 in. o.c., with outside rivets 3 in. from ends of the bar. The top bar was directly attached to the rings on the barrel by $\frac{3}{8}$ in. round-head bolts 24 in. o.c., with the outside bolts 12 in. from the ends. The flame stop was made of No. 22 U. S. gauge galvanized steel for the full width of the curtain, the free end reinforced with a $\frac{3}{4}$ x $\frac{1}{8}$ in. steel bar attached

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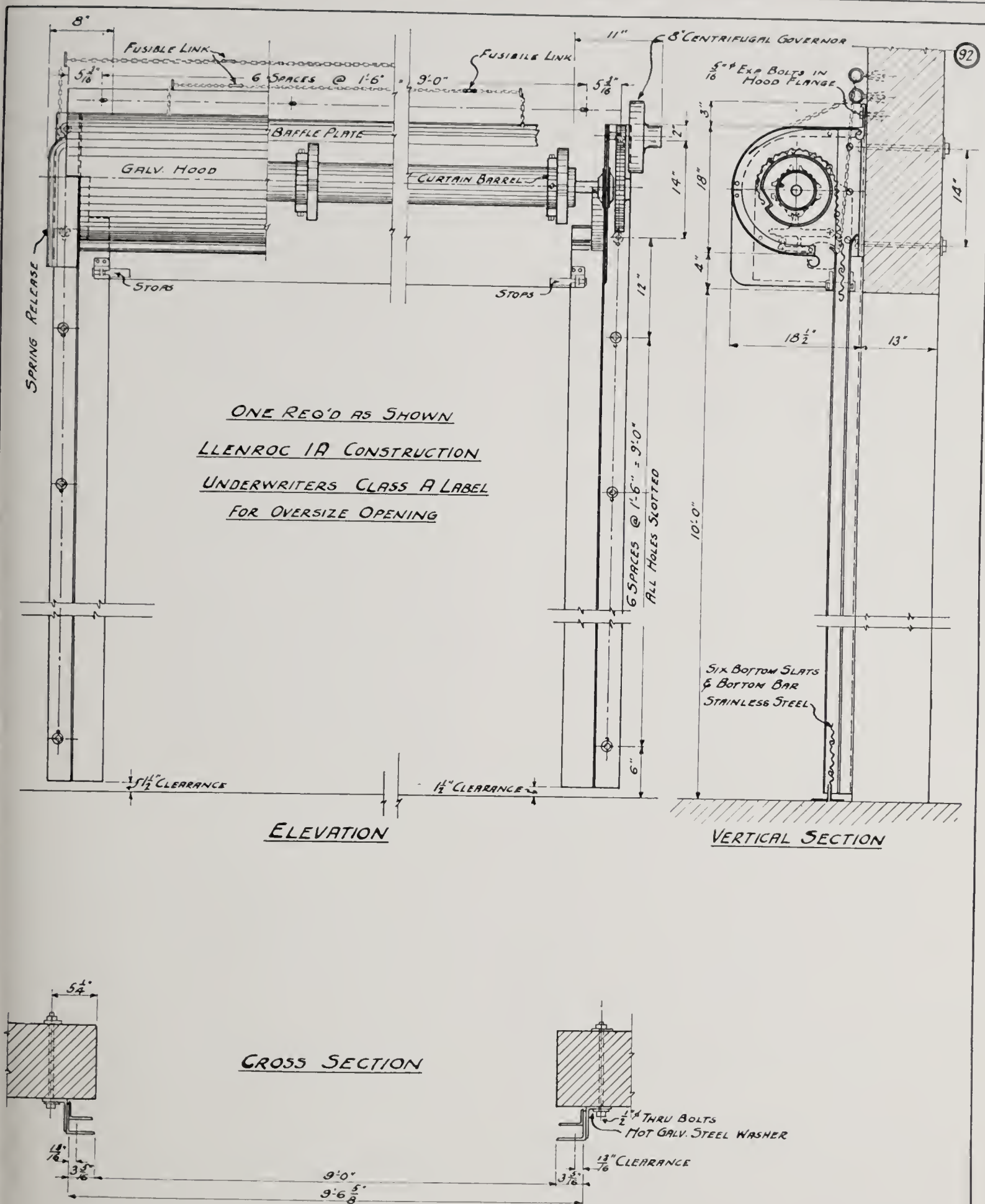


Figure 1
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by $\frac{1}{4}$ in. rivets spaced at 24 in. centers with outside rivets 3 in. from each end. The other end had a specially formed hinge which fitted into a second hinge in a specially formed No. 20 U. S. gauge steel strip attached to the upper end of the hood by the same bolts attaching the hood to the wall. The free end was held away from the curtain during the ordinary operation of the door by a chain provided with two fusible links which passed through two grommets in the hood, and through two eyelets extending from the wall above the opening and attached to the flame stop at two points. The handles were made of malleable iron and secured to the bottom bar by two $\frac{1}{4}$ in. round stove bolts through slotted holes. The curtain was provided with two supports designed to sustain the weight of the curtain in its closed position in the event of the failure of the counter-balancing springs. The two supports were mounted on the face of the curtain, flush with the vertical edges in such a position so as to be immediately above the outer member of the guide which forms the bell mouths of the groove. When the curtain was closed, any further downward motion was prevented by the support coming in contact with the upper portion of the groove, thereby supplying a positive stop.

The curtain support was in the shape of an oversized edge guard made of malleable iron and fastened to the slat by three $\frac{1}{4}$ in. rivets. The counter-balancing mechanism comprises the barrel, shaft, rings, brackets, helical spring with auxiliary attachments. The barrel and shaft was made of steel and provided with cast iron rings on its outer surface and designed to receive the top bar of the curtain. The shaft was supported at each end by ball bearings. Within the barrel was installed a helical steel spring of such size and stiffness so as to counter-balance the dead weight of the curtain. The over-all length allowed for expansion between the brackets, the horizontal barrel was a $4\frac{1}{2}$ in. x $\frac{1}{8}$ in. steel tube; the inner shaft was 1 in. diameter cold rolled steel. The inner shaft was stationary during normal operation, being locked in position by an automatic gear mounted on the automatic gear bracket. The barrel revolved on the inner shaft as the curtain was raised and lowered. The cylindrical flanged cast-iron bearings were fastened to the barrel by four $\frac{5}{16}$ in. tap bolts and lined with brass not less than $\frac{1}{16}$ in. in thickness. The automatic release mechanism was connected with a standard galvanized chain by two fusible links, which part at 150° F. thus allowing a goose-neck weight to drop, permitting a pair of weighted pawls to roll out of mesh with an automatic gear pinned to the inner shaft of the door barrel by a No. 6 Taper pin. The shaft rotates rapidly, due to the tension of the spring, in the direction of lowering the curtain. In order to limit the unwinding of the spring, four $\frac{3}{4}$ in. holes were tapped into the web of the automatic gear. A tap bolt, or set screw, $\frac{3}{4}$ in. diameter, was screwed into one of these holes for enough to contact a bar stop ($\frac{1}{2}$ x 1 x 3 in. long, riveted on the bracket with three $\frac{5}{16}$ in. rivets) before a full revolution was completed.

A swing stop of malleable iron $\frac{1}{2}$ in. square in the arm, $\frac{3}{8}$ in. square was used in the bored section, which turned on the bronze bracket bushing and halted against the $\frac{1}{2}$ in. x 1 in. bar stop. The pawl was fastened to the bracket with a $\frac{3}{8}$ in. iron stud through a $\frac{1}{32}$ in. brass tube bushing; and the goose-neck weight with a $\frac{1}{2}$ in. iron-shouldered stud through a $\frac{1}{32}$ in. brass tube bushing. Both these parts had a $\frac{1}{16}$ in. sheet lead washer. The two shouldered studs were riveted on the inner end. The automatic device consisted of two parts — the flanged casting with two $\frac{1}{32}$ in. brass bushed pawls mounted on it with $\frac{5}{16}$ in. rivets, and the steel finger made in one piece with the cast bushing in the end of the barrel. The combined casting fitted into a slot in the end of the barrel to prevent shearing of the

screws with which one of the two pawls engages when the automatic release operates. The finger on the barrel revolves continuously as the door is raised and lowered. The two pawls were kept out of contact with the finger by means of the brass tension springs $\frac{1}{2}$ in. outside diameter and 1 in. long, fastened to the pawls with $\frac{1}{8}$ in. coffer pins and to the casting with $\frac{1}{4}$ in. round head screws.

Upon action of the automatic release, the two pawls on the automatic release were thrown out radially and the nearest pawl engaged the finger on the barrel impelling the barrel to rotate in the direction of lowering the door. The $\frac{3}{4}$ in. tap bolt contacted the stop on the bracket and halted the rotation of the inner shaft, the automatic starter casting and the pawls, which were drawn back by the springs and the barrel continuing to revolve. Each bracket was made of $\frac{5}{16}$ in. steel plate formed to support the shaft, coil and hood and to close the ends of the hood, and fastened to the 4 x 3 x $\frac{1}{4}$ in. wall angle by three $\frac{1}{2}$ in. bolts.

The automatic bracket was furnished with a cast-iron cover over the automatic release. The guides were made of three angles; one angle 4 x 3 x $\frac{1}{4}$ in. fastened to the wall and extending above the opening to support the bracket on either side; one angle $3\frac{1}{2}$ x $3\frac{1}{2}$ x $\frac{3}{16}$ in.; and one angle 3 x 2 x $\frac{3}{16}$ in. The guides were fastened with $\frac{3}{8}$ in. bolts, 12 in. max. centers, located in slotted holes with a galvanized washer on either side. The wall angle was fastened to the wall with $\frac{1}{2}$ in. bolts 18 in. max. centers located in slotted holes with galvanized washers.

A centrifugal governor designed to retard the automatic door consisted of the outer casing of cast iron $\frac{3}{16}$ in. thick and the inner disc on which are mounted the two brake shoes. The inner disc rotates freely on a turned steel stud which is journaled in a cast iron bearing fastened to the bracket with three $\frac{3}{16}$ in. rivets. The stud was held to the bearing by a No. 9 taper pin. The inner disc was of cast iron $\frac{3}{16}$ in. thick bushed with $\frac{1}{16}$ in. thick brass bushing. To the face of the inner disc were pivoted two brake-shoes of cast iron pivoted on $\frac{1}{2}$ in. round-turned steel studs shouldered and riveted to the inner disc. The brake shoe bushings were $\frac{1}{32}$ in. thick of brass and brass washers on either side were $\frac{1}{32}$ in. thick. The brake shoes were made with a round recess, into which was poured lead or babbitt in order to give them additional weight at a point well removed from the pivot. The brake shoes were not in contact with the outer cover until the door had developed sufficient speed in closing to extend the two steel springs and thrown the face of the shoes against the inner surface of the outer cover. There was cast, integral with the inner disc, a 3 in. diameter pinion having 12 teeth and 1 in. face. The governor was placed on the outside of the bracket above the gear.

Tests were conducted on the door at the Underwriters' Laboratories, Inc., Chicago, Ill., on July 8, 1940 (Report No. 40C802 filed herewith) and witnessed by a committee of the Board consisting of Commissioners Blum, Savage and Chief Engineer Huber. The tests were in accordance with the requirements of Group 5 and Group 18, Sub art. 1 of Article II, Administrative Building Code titled "Fire Resistive Materials" and were in conformity with the standard time-temperature curve. The automatic releasing mechanism operated during the first thirty seconds after the start of the test. No passage of flame through the door or smoke in significant amount occurred during the three hours of fire exposure, although gas flames from the furnace appeared at intervals during the last hour of test along the lintel.

During the fire exposure there was a uniform bulge at the center of the curtain towards the fire, assuming a maximum of $3\frac{3}{4}$ in. at about 55 minutes after the start of the test. This bulge was slightly reduced during the

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last two hours of the test. The curtain remained in the guides during and after the fire and hose stream tests. The heat transmission from the fire to the protected area was liberal in amount and intensity during the fire test, as may be expected of a steel frame barrier assembled as described herein. A burlap strip 32 in. away from the unexposed face of the door was glowing at 13 minutes and ignited at 14 minutes. A burlap strip at 64 in. ignited at 55 minutes. A burlap strip at 96 in. was charred at 90 minutes. The expansion of parts of the door, and the warping of the curtain, with the deflection of the barrel indicate the necessity of providing amply for expansion. Considering the amount of warping of the bottom bar and buckling of the lower slats which were constructed of stainless steel, it is considered that these members *did not perform satisfactorily* in test and approval of such construction will be withheld until such time as there is satisfactory fire test performance on this material as an alternate for ordinary steel.

On the basis of the foregoing data the Committee recommends the approval of the Cornell Rolling Steel Door, Type Llenroc size 9 ft. x 10 ft. when manufactured in accordance with the specifications provided herein under C26-660.0 (10.8.1) Administrative Building Code, but the use of these doors shall *not* be permitted in *required exits*. Where combustible material is stored within 15 feet of an opening *two* such doors, one on each side of the opening, shall be provided. In view of the unsatisfactory behavior of stainless steel during the fire test, its use is not recommended. Larger sizes of this door may be permitted in accordance with the permissive provisions of the Administrative Building Code.

The Committee further recommends that all opening protective assemblies manufactured under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Cornell Rolling Steel Door, Llenroc Type, *on condition* that the material be manufactured, used, and labelled, stamped or tagged in accordance with above report.

40-SM.

APPLICANT—Elwyn E. Seelye, for John T. McCoy, for National Fireproofing Company, owner.

SUBJECT—Natco 16 inch by 16 inch Tile (For Ribbed Floor Construction), approval of.

APPEARANCES—

For Applicant: Elwyn E. Seelye and T. Barbato.
ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(40-40-SM)

WHEREAS, Elwyn E. Seelye, for John T. McCoy, for National Fireproofing Company, owner, filed January 11, 1940, an application with the Board of Standards and Ap-

peals, for approval of the material known as Natco 16 inch by 16 inch Tile (For Ribbed Floor Construction); and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Test reads:

REPORT OF COMMITTEE ON TESTS.

September 10, 1940.

Re: Calendar No. 40-40-SM.

Subject: Natco 16 inch by 16 inch Tile (For Ribbed Floor Construction), approval of.

Elwyn E. Seelye, filed in behalf of John T. McCoy, Agent, an application with the Board of Standards and Appeals for the approval of a filler material for use in ribbed floor construction (one and two-way systems) as made by the National Fireproofing Company at their plant, located in Perth Amboy, New Jersey, under C26-191.0 (2.2.3) and C26-476.0 (8.5.8) Administrative Building Code.

Manufacture

as follows:

Natco tile is made of clay of an analysis as follows:

	After Drying at 110° C
Loss on Ignition	9.27%
Silica	60.54
Ferric Oxide	4.78
Alumina (Al ₂ O ₃) by difference	20.72
Calcium Oxide	0.15
Magnesium Oxide	0.75
Titanium Oxide (TiO ₂)	1.27
Combined Alkalies (Na ₂ O - K ₂ O)	0.70

It is mined in the open and delivered to the plant where it is dumped in a granulator which cuts and mixes the clay. It then passes through a set of corrugated conical rolls and guiding rolls with further mixing into storage bins. From the storage bins the clay is fed into a vacuum extrusion machine where it is tempered to the proper consistency for forming through the dies. The extrusion machine forces the clay through the die in a continuous stream, or column. This column of clay passes through a reciprocating cutter, upon which piano steel wires are located, to cut the clay column into the desired length. From the cutter the sized units are delivered onto a steel conveyor.

The units are taken from this conveyor and placed upon three deck dryer cars, to be placed into a humidity dryer for the removal of the mechanical water. As the dried ware emerges from the dryer it is left on the dryer cars and transported to round down-draft beehive type kilns, for placing in the kiln.

The ware is placed in the kiln by experienced setters, and set to a height of 12 ft. After the kiln has been charged, the wickets are closed and the kiln is then ready for the burning operation.

The burning operation is carried on in four stages: the water smoking period, the dehydration period, the oxidation period, and the vitrification period. After the vitrification period has been reached and the ware has been fired to the desired hardness, the firing is discontinued and the kilns are cooled slowly.

To maintain uniformity of the burning process, pyrometers and thermo-couples are installed in each kiln, readings are taken both on indicating and recording pyrometers. The firing is also checked with pyrometric cones and draw trials are taken from the kiln from time to time. After the kilns have cooled, the wickets are removed and the ware is then ready to be drawn from the kiln. The drawing operation consists of loading the cars onto small four wheel drawing trucks, which hold approximately one ton to one and one-half tons each. On these trucks the ware is transported to either a shipping conveyance or placed into inventory. The clay prop-

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erty is cross-sectioned and drilled far ahead of consumption. The borings taken from the drilling are made up into test bars and checked for plasticity, drying and burning shrinkage and absorption.

Tests

Samples of Natco 16 in. by 16 in. by 10 in. tile were tested in compression at Columbia University, Laboratory Test No. 67290-5 report filed herewith with results as follows:

Cells Vertical		
Max. Load, lbs.	Ultimate Strength, (p.s.i.)	
	Gross Area	Net Area
257,500	1695	5380
263,500	1740	5460
387,000	2550	8080

Cells Horizontal		
Max. Load, lbs.	Ultimate Strength, (p.s.i.)	
	Gross Area	Net Area
60,000	359	2365
64,000	412	2620
63,000	380	2500

The modulus of elasticity of New Jersey clay, from which Natco Structural Wall and Floor Tile are manufactured, averages 2,730,000 per square inch on the net area. This is the result of 50 tests on various types of units conducted at the U. S. Bureau of Standards, as reported in Research Paper No. 181, reprinted from Journal of Research, Volume 4, June, 1930. Absorption values obtained from Columbia Test No. 229600-01 was 11.2%. From the Bureau of Standard's Report referred to above, the absorption was approximately 10% (taken from curve on page 845, Fig. 22.)

The average value for bond taken from the same report on 6 cell tile for thirty specimens tested was 279 p.s.i. (mix 1:2:4) and that the best values were obtained when the tile surface was wetted down rather than fully saturated, and that dry curing gave higher bond strength in shear than wet curing.

GENERAL

The Administrative Code as adopted and made effective January 1, 1938, for the first time recognized ribbed floor construction, Sec. C26-476.0 (8.5.8). Prior thereto, this form of construction, known as the Shuster System, using 12 in. x 12 in. filler units, was approved in 1917, by Superintendent A. Ludwig, which approval is still in force. Since this approval was granted, many buildings have been constructed with this type of floor construction and its integrity established by satisfactory performance during the ensuing time. To-day it is a generally accepted floor construction, and when the top slab, not being required for strength, is omitted, its economical application to building construction is best realized.

The basis of the form of construction and the contribution of a filler unit to the structural resistance of a floor slab is in accordance with Hooke's Law, which provides that in any material, stresses are proportional to strains and that bending is resisted by the relative stiffness of the materials composing the section. All materials in a floor system must deform equally, each material carrying such portion of the load as determined by its modulus of elasticity. Since all parts of a floor system deform together under load, the relative amounts of load carried by the several materials comprising the floor slab is in accordance with their relative moduli of elasticity.

In order to develop a relation of the moduli of elasticity using the principle of Hooke's Law for the type of construction proposed a formula is developed as follows:

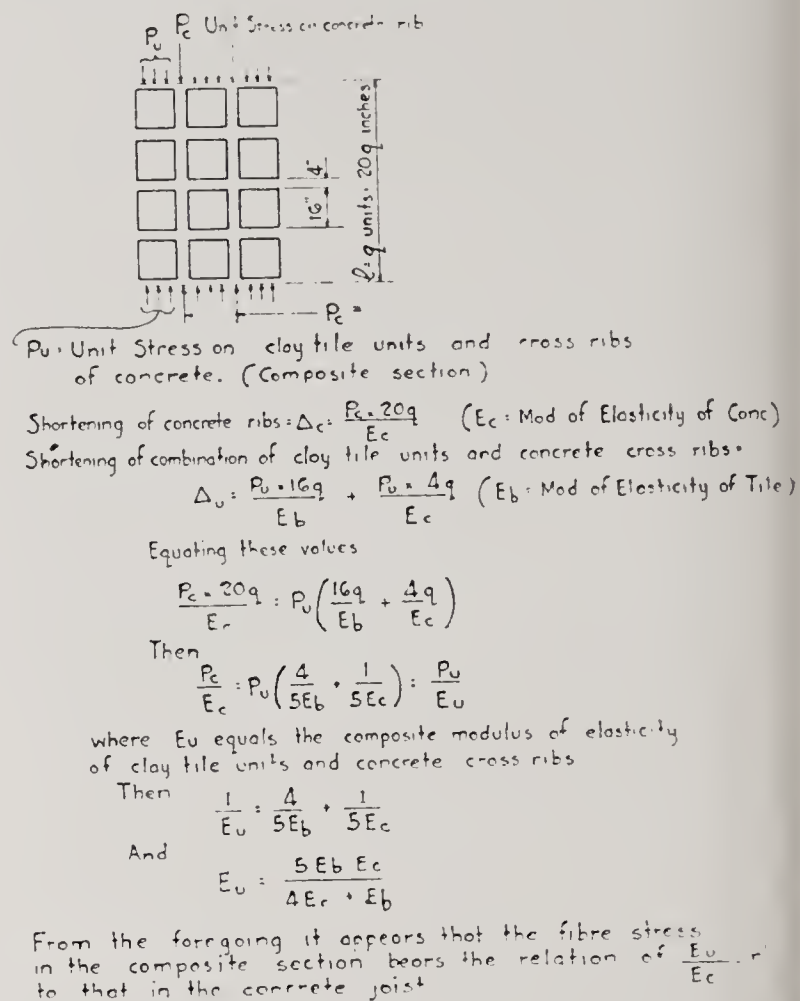


Fig. 1.

To apply this relation to ribbed floor construction so that the stresses in the concrete shall be within values permitted in the Administrative Building Code, two cases are considered.

Case I — If the modulus of elasticity of the filler unit is less than that of the concrete in the rib, the stress in the outer fibre of the composite strip (filler unit and concrete rib) must be limited to the permitted value in the Administrative Building Code, in flexure, for the class of concrete used.

Case II — If the modulus of elasticity of the concrete in the rib is less than that of the filler unit, then the stress in the outer fibre of the concrete rib must be limited to the permitted value in the Administrative Building Code, for the Class of concrete used.

This is as illustrated in Fig. 2.

The use of the foregoing derivations will give stresses within permitted values in the Administrative Building Code when the rib and flange width are 4" 16" = 20" with a compression value of p_a (Average stress in combined joist) from equations I and II.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of Natco 16" x 16" x 10, 9, 8, 7, 6 cell block (Fig 3) for use as a filler block in one and two way systems under C26-476.0 (8.5.8) and C26-191.0 (2.2.3) provided that the filler units are manufactured as provided herein with care exercised so as to provide a surface (not too hard) to permit a satisfactory bond.

In designing the resisting sections, the sections resisting moment and shear shall be taken as follows:

Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and the slab plus the shell and top flange of the clay tile filler unit.

Equivalent resisting reinforced composite section to

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p_c = Stress in outer fibre of concrete joists
 p_u = Stress in outer fibre of composite strip of clay tile units and transverse concrete joists, i.e. S_1 on account of transverse ribs limiting it
 p_a = Average stress in combined joist
 S_1 = Code allowance for maximum concrete stress in flexure for class of concrete used
 Shortening in concrete joist $= \frac{p_c}{E_c} \Delta L$
 Shortening in composite section $= \frac{p_u}{E_u} \Delta L$
 but ΔL must be equal to Δu

$$\frac{p_c}{E_c} \Delta L = \frac{p_u}{E_u} \Delta L \quad \frac{p_c}{E_c} = \frac{p_u}{E_u} \quad p_c = \frac{E_c}{E_u} p_u \quad p_u = n' p_c$$

CASE (I)

If n' is more than unity

Total stress in top layer of combined conc and composite sections:

$$\begin{aligned}
 4 p_c + 16 p_u &= 20 p_a \\
 4 p_c + 16 p_c n' &= 20 p_a \\
 p_c (1 + 4 n') &= 5 p_a \\
 p_a &= \frac{p_c (1 + 4 n')}{5}
 \end{aligned}$$

Equating p_u and S_1 :

$$p_a = \frac{(1 + 4 n') S_1}{5} \quad (I)$$

CASE (II)

If n' is less than unity.

$$\begin{aligned}
 4 p_c + 16 p_u &= 20 p_a \\
 4 p_c + 16 p_c n' &= 20 p_a \\
 p_c (1 + 4 n') &= 5 p_a \\
 p_a &= \frac{p_c (1 + 4 n')}{5}
 \end{aligned}$$

Equating p_c and S_1 :

$$p_a = \frac{S_1 (1 + 4 n')}{5} \quad (II)$$

FIG. 2.

resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the tile plus 50 per cent of the bottom flange in one-way construction and all of such flange in two-way construction.

The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler tile.

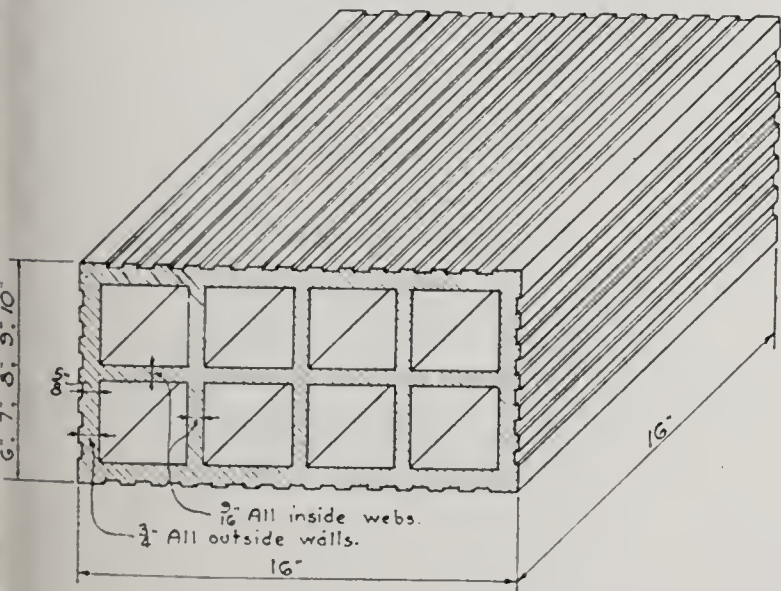


FIG. 3.

The equivalent resisting reinforced composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell plus 50 per cent of the horizontal flanges of the filler tile in one-way construction and all of such flanges in two-way construction, provided that the filler tile is entirely surrounded by concrete ribs and the joints between the tile are staggered.

In the construction of all ribbed floor systems precautions shall be taken so that the edges of filler tiles shall be placed straight and in plane so as to provide tight, uniform joints where they contact. All burrs shall be removed, and the surface very lightly sprayed with water (not soaked).

It is further recommended that samples of Natco units be regularly tested during construction to ascertain if they come within values of absorption, compression and modulus of elasticity as provided herein. Each shipment of filler units shall have the delivery slip labelled or stamped reading as follows: "Approved by the Board of Standards and Appeals for use in one and two-way ribbed floor systems in New York City under the conditions as specified under Cal. No. 40-40-SM," and that all designs submitted to the Department of Housing and Buildings be similarly stamped.

BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material;

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Natco 16" by 16" Tile (For Ribbed Floor Construction), on condition that the material be manufactured, used, and labeled stamped or tagged in accordance with above report.

Adjourned, 4:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals (held on Tuesday, September 10, 1940, as they appeared in Bulletin No. 38, Vol. 25, are hereby corrected to read as follows:

(315-33-BZ)

THE RESOLUTION—

WHEREAS, this application affecting premises southeast corner of Astoria avenue and 44th street (Block No. 717, part of Lot No. 29), Astoria, Borough of Queens, was granted by the Board March 13, 1934, on certain conditions, time extended April 23, 1935, September 24, 1935, April 28, 1936 and February 23, 1937, and the owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on March 13, 1934, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the accessory building shall be erected toward the easterly lot line where indicated and that there shall be constructed northerly along the interior lot line a wall of face brick similar to that used for the accessory building not less than 8 ft. in height; that this wall may, however, be constructed 4 ft. in height at the street line of Astoria avenue and graduated at the rate of one foot in four to the 8 ft. height; that the entire plot shall be leveled substantially to the grade of Astoria avenue; that where not covered by accessory buildings, this plot shall be cement-paved or covered with cracked bluestone; that the accessory buildings shall be in accord-

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ance with the design and arrangement indicated on plans filed with this application, constructed of Colonial brick and with a roof surfaced with heavy slate; that this building shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams, roof boarding, windows and doors may be of wood provided that the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no open excavation under these buildings except the pits for the greasing racks; that there shall be no open flame permitted on the property; that the gasoline pumps shall be not nearer than 10 ft. to either street building line and not nearer than 10 ft. to any portion of an accessory building; that there shall be erected on the exterior lot lines a concrete curb not less than 12 in. in width and 12 in. in height with not over two openings therein to Astoria avenue and not over two opening to 44th street, each opening not to exceed 25 ft. in width; that no part of these openings shall be nearer than 10 ft. to the corner formed by the intersection of Astoria avenue and 44th street nor 5 ft. from the interior lot line to the east; that opposite these openings cuts in the curb shall not exceed 30 ft. each; that signs advertising nonconforming uses shall be restricted to the illuminated globes of the gasoline pumps; that no portable gasoline tanks shall be used on or from the premises; that no automobile repairing shall be carried on in the premises or no parking or storage of cars other than those being serviced; that plans shall be submitted to the board and approved by the chairman in behalf of the board before filing with the commissioner of buildings; that in the event the owner desires to install two (2) additional storage tanks with a capacity of 550 gallons each, located as indicated on plan marked Received August 12, 1940, such additional tanks may be installed, as filed with the Dept. of Housing and Buildings under Misc. Applic. 1915-40, provided in all other respects the requirements of this resolution shall be complied with and that the two pumps proposed on the 44th street side shall not be nearer than 15 feet to the street building line."

* Correction — The last clause inadvertently omitted, inserted in resolution.

448-40-SM.

NOTE: In Bulletin No. 29, Vol. 25, issued July 16, 1940, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows:

THE RESOLUTION—

(448-40-SM)

WHEREAS, the H. H. Robertson Company, owner, filed April 25, 1940, an application with the Board of Standards and Appeals for approval of the material known as Robertson Cellular Beam Steel Floor and Roof Construction, Types K, FK, RK and UK; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 25, 1940.

Cal. No. 448-40-SM.

Subject: Robertson Cellular Beam Steel Floor and Roof Construction, Types K, FK, RK and UK, approval of.

The H. H. Robertson Company, of Pittsburgh, Pennsylvania, filed an application with the Board of Standards and Appeals on April 26, 1940, for the approval of their form of steel-floor construction, known as Robertson Cellular Beam Steel Floor and Roof Construction,

Types K, FK, RK and UK (Fig. 1), under the pertinent provisions of the Administrative Building Code.

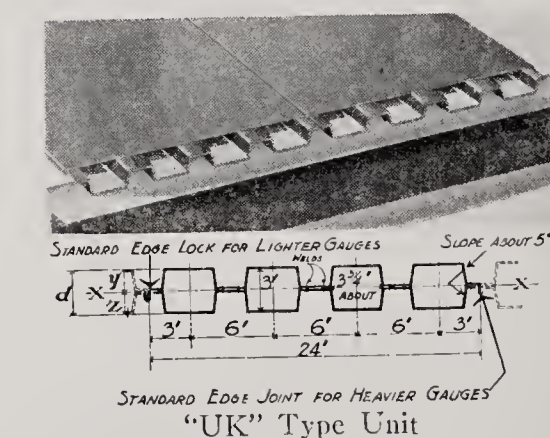
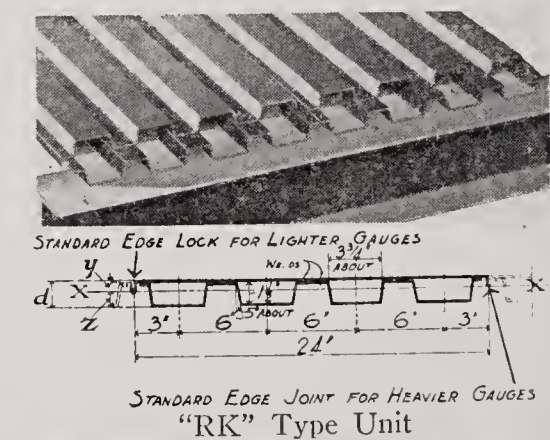
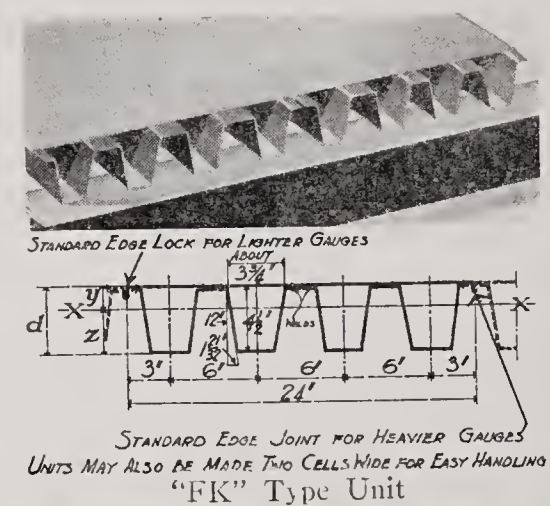
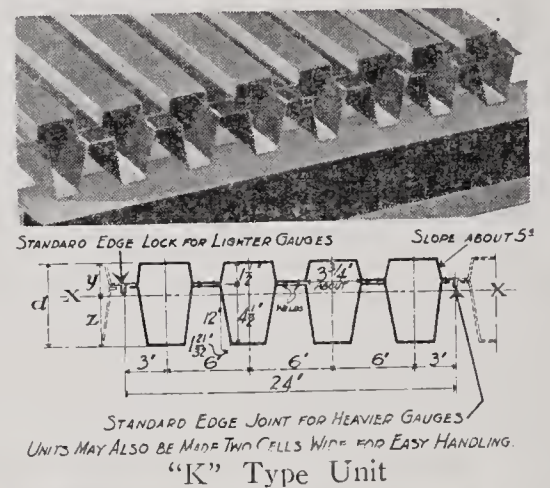


Figure 1

The materials comprising its construction are manufactured by the applicant at their plant at Ambridge, Pennsylvania. The strip steel is purchased in gauges as required and of properties as follows:

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Chemical Analysis: .05 per cent. to .10 per cent. carbon, .35 per cent. to .50 per cent. manganese, .04 per cent. phosphorous maximum, .05 per cent. sulphur maximum. Copper-bearing sheets, copper .20 per cent. minimum.

Physical Properties: Standard test pieces, 2 in. by ½ in. Tensile strength, pounds per sq. in., 45,000 to 60,000. Yield point, minimum pounds per sq. in., 50 per cent. of tensile strength. Elongation under 2 in., 25 per cent.

Cold Bending Test: Through 180 degrees flat upon itself, without cracking on the outside and bent portion.

The strip material is processed by the applicant into the several types, hereinafter described, on specially designed cold rolls. The sheets are then matched to their mating sections and tack welded. They are then run through a special resistance welding machine, designed to exert a pressure on both halves, and welded so as to permit the sections to act as a unit, as to resist horizontal shear at the line of contact. The unit is then subjected to cleaning inside and out by high pressure steam and air and then oven-dried, after which it is dipped in an asphalt base paint. It is then baked at a temperature of from 275 degrees to 300 degrees Fahrenheit until thoroughly dry, after which it is ready for shipment.

PHYSICAL PROPERTIES

The physical properties of the several units are contained in the catalogue "Robertson Keystone Beam Steel Floor". The values therein have been rechecked by physical tests as listed below. The several sections upon which approval is requested are as follows:

Type K Unit

A load test was performed at the plant of the applicant, witnessed by representatives of the Building De-

partment, June 24, 1933, on a 14-gauge Type K Unit on a 20 ft. simple span, uniformly loaded, secured at each end by fillet welding. The results compared favorably with the computed values for corresponding loads, as indicated by curves on Figure 2.

Type FK Unit

A similar test was made on Type FK Unit, 16-gauge, on a 14 ft. simple span, uniformly loaded, secured at each end by fillet welding. The results compared favorably with the computed values for corresponding loads, as indicated by curves on Figure 3.

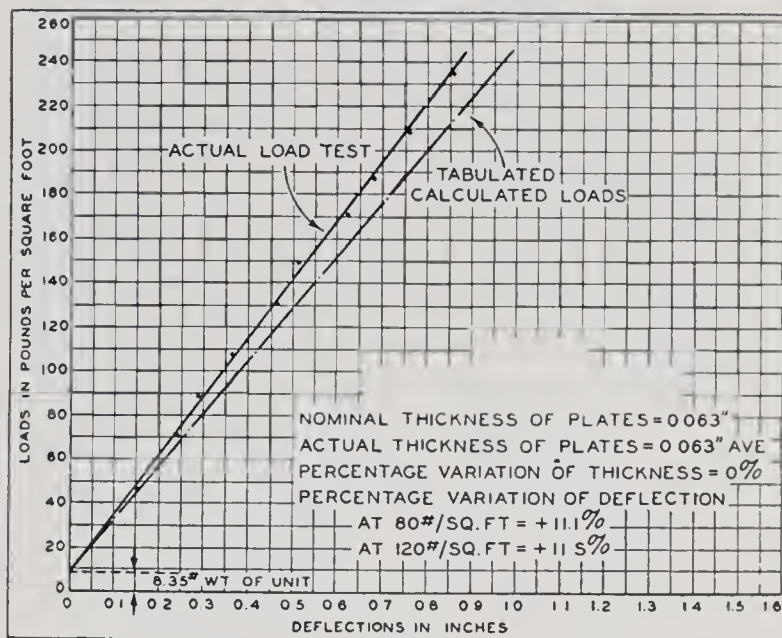


Fig. 3

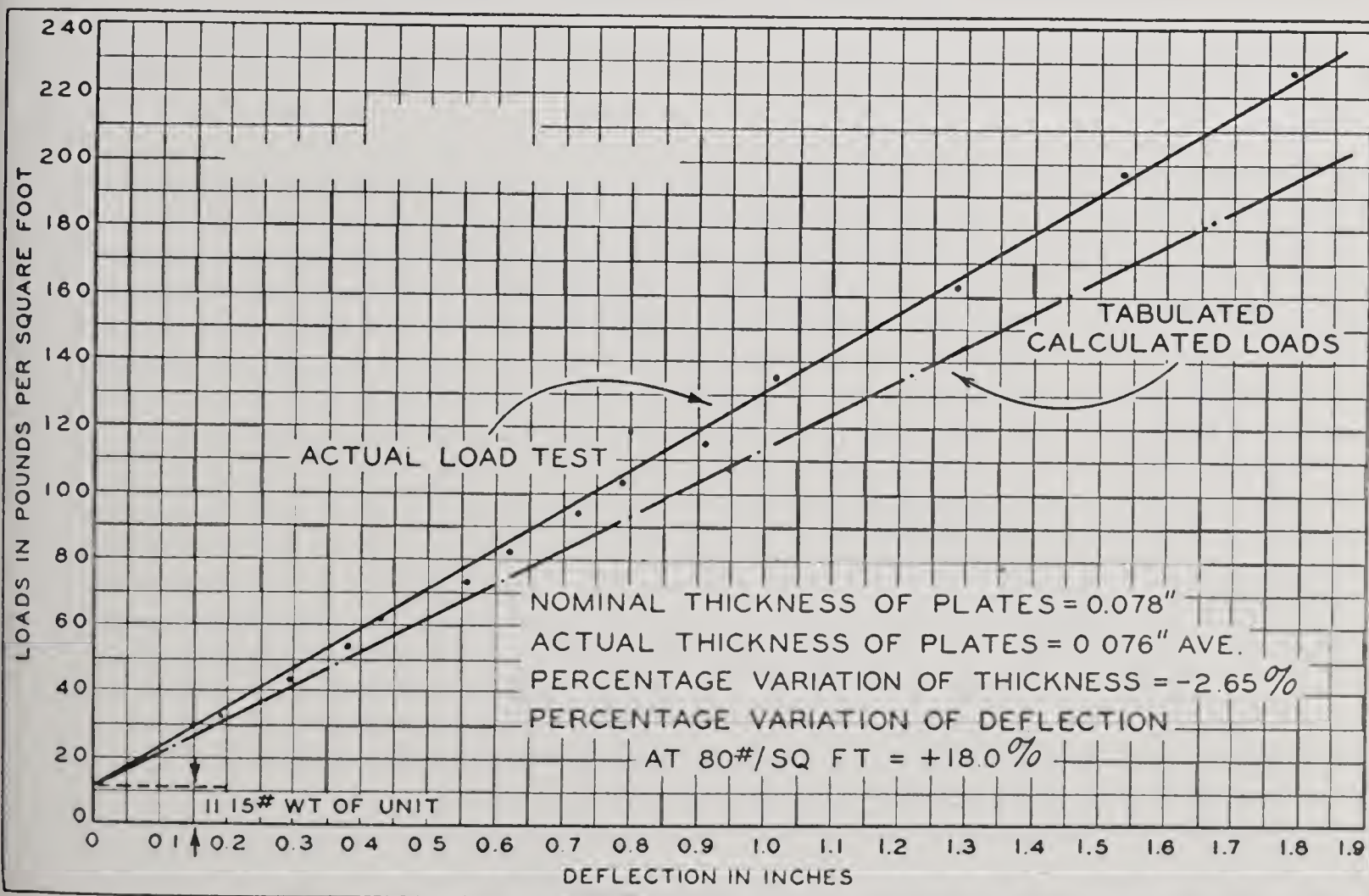


Fig. 2

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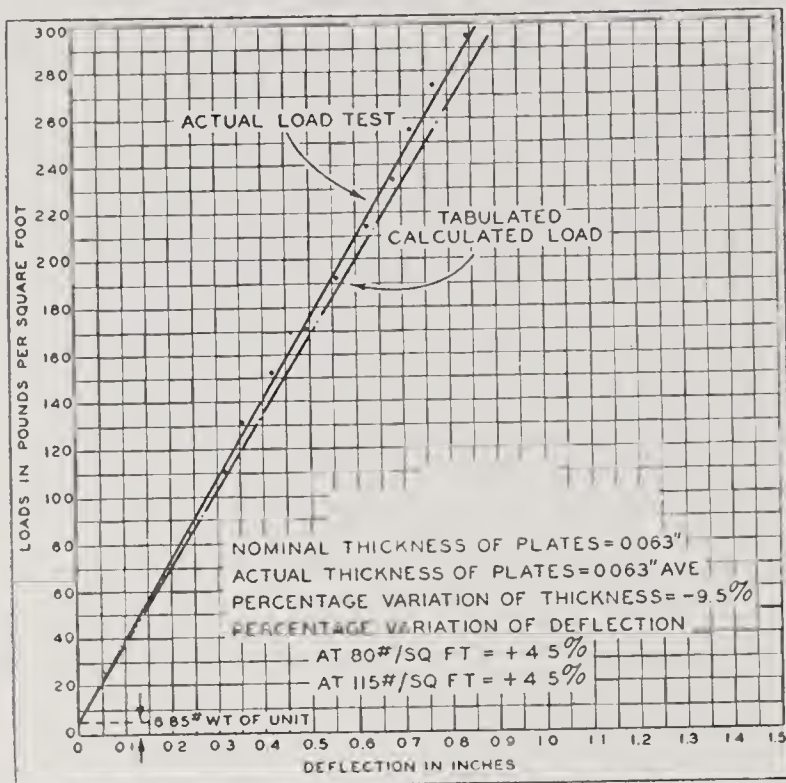


Fig. 4

Type RK Unit

A similar test was made on Type RK Unit, 16-gauge, on a 10 ft. simple span, uniformly loaded, secured at each end by fillet welding. The results compared favorably with the computed values for corresponding loads, as indicated by curves on Figure 4.

Type UK Unit

A test was made on Type UK Unit, 18-gauge, on a 7 ft. 2½ in. span c-c loaded by hydraulic jacks at the quarter points with units free to move on the supports. The test was reported three times for the same span. All tests were conducted under the supervision of Professor H. C. Berry at the University of Pennsylvania, report dated December 27, 1932. The results compared favorably with the computed values for corresponding loads, as indicated by curves on Figure 4a. There was no permanent deflection on any of the panels after unloading.

SPECIAL PHYSICAL TESTS

A special test was conducted at Mellon Institute of Industrial Research, File No. 132, to determine the value of the method of fastening the units to the supporting beams, to each other, and of integrating the floor construction as a part of the completed structure—to show that it is capable of resisting horizontal loadings, such as wind stresses and earthquakes. In this test horizontal loads were applied to the top surface of each one of

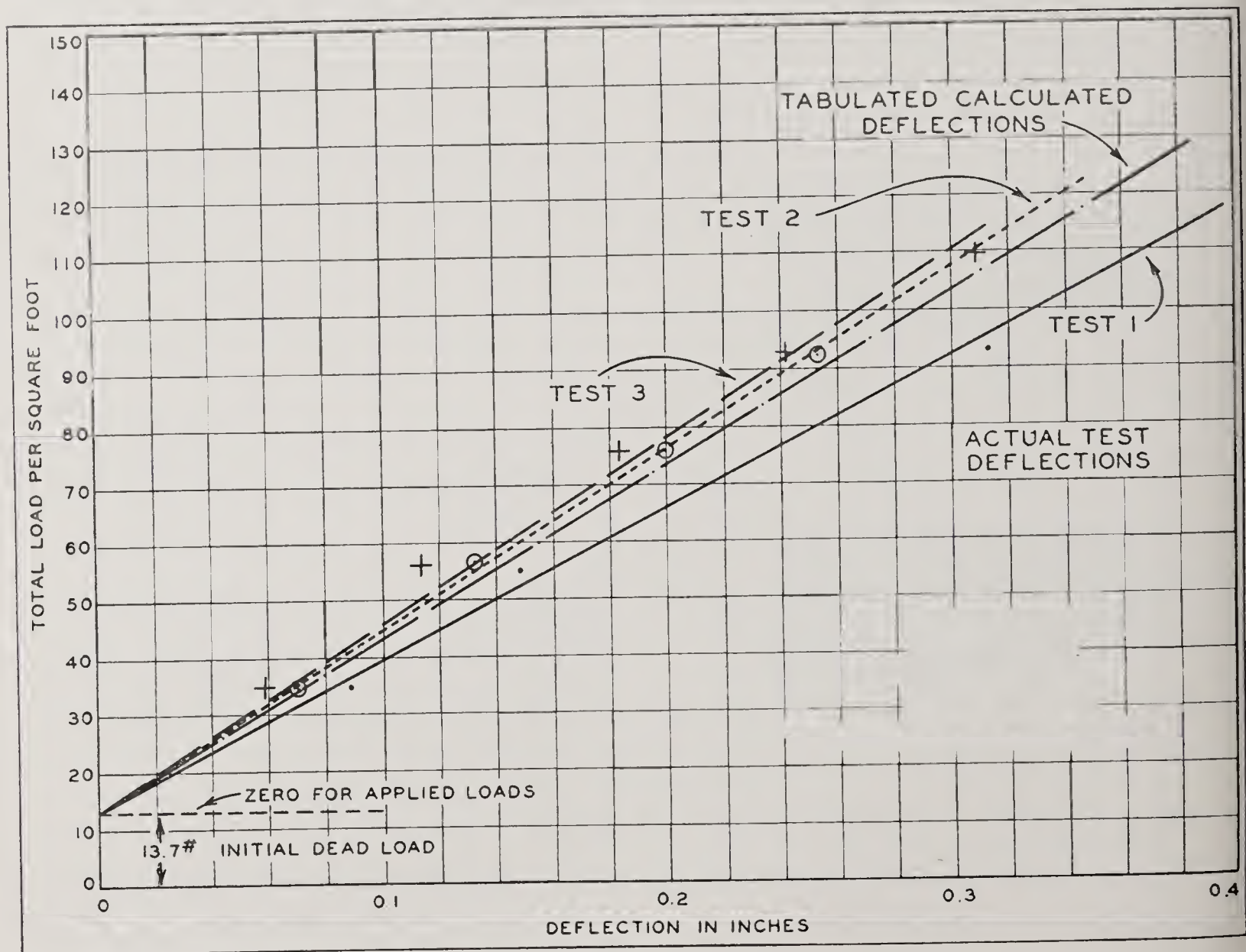


Fig 4a

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the types, FK 16/16, FK 18/18, UK 16/16 and UK 18/18, with results as follows:

Panel No.	1	2	3	4	5
Type of Units Used	FK 16/16	FK 18/18	UK 16/16	UK 18/18	FK 16/16
Length of panel parallel to cells	16 ft.	16 ft.	8 ft.	8 ft.	16 ft.
Width of panel perpendicular to cells	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Area of panel—sq. ft.	192	192	96	96	192
Catalogue vertical load capacity per lb. sq. ft. live load ..	80	65	70	55	80
Total Load ..	110	90	130	105	110
10% of total vertical load—area — Unit Hor. Design necessary, lbs. per sq. ft. ..	11	9	13	10.5	11

Fastenings to beams—In all cases $\frac{1}{2}$ in. effective length welds at the bottom of alternate cells, except No. 5 where every cell was welded.

Fastenings at side joints—In all cases $\frac{1}{2}$ in. effective lengths spaced 3 ft.

Panel 1.

This panel was submitted to a total endwise load of 16,000 pounds, with a corresponding deflection of .265 in., and failure occurring by the bottom of the cells tearing out at the welds. Separate tests were taken in the sidewise direction and at a load of 12,000 pounds, the Keystone panels reached the elastic limit, with a deflection of .105 in., and failure occurring at a load of 14,000 pounds, with a corresponding deflection of .140 in. Failure occurred, as evidenced by distortion of all cells with welds remaining intact.

Panel 2.

This panel was submitted to a total endwise load of 13,000 pounds, with a corresponding deflection of .230 in., and failure occurring by the bottom of the cells tearing out at the welds. Separate tests were taken in the sidewise direction, with failure occurring at a load of 10,000 pounds, with a deflection of .170 in., and failure occurring by lateral bending with welds remaining intact.

Panel 3.

This panel was submitted to a total endwise load of 13,000 pounds, with a corresponding deflection of .225 in., and failure occurring by the bottom of the cells tearing out at the welds. Separate tests were taken in the sidewise direction with no failure occurring for the reason that the limit of the jack was reached at a total of 25,000 pounds, with a corresponding deflection of .080 in.

Panel 4.

This panel was submitted to a total endwise load of 9,000 pounds, with a corresponding deflection of .200 in., and failure occurring by the bottom of the cells tearing out at the welds. Separate tests were taken in the sidewise direction with failure occurring at 16,000 pounds with the cells becoming distorted, all welds remaining intact.

Panel 5.

Sidewise loads were applied to this panel by a Watson-Stillman hydraulic jack to a total of 28,000 pounds, with a corresponding deflection of .190 in., and failure occurring by all cells becoming distorted and all welds remaining intact. In this panel $\frac{1}{2}$ in. effective length welds were placed at the ends of each cell to obtain a

comparison with Panel 1, and to indicate that by increasing the number of welds, the performance of the panel is proportionately increased.

Observations were also made to determine the value of field welds as used on Panels 1 to 5, inclusive. A comparison of test Panels 1 to 5 shows that doubling the number of field welds, in attaching units to steel beams, doubles the strength of panel against loads applied sidewise and leads to the conclusion that applying welds at side joints, at approximately 36 in. centers, is adequate as none of the panels show failure in such welds up to the point where the panel failed otherwise.

FIRE TESTS

Fire tests on these several type units specifically described, were conducted as follows:

A test was conducted at Columbia University, F. W. 71, on the Type K Unit under the supervision of Professor Albin H. Beyer. The floor tested formed the roof of a structure of which an area of 14 ft. by 20 ft. was exposed to the fire. The structural support consisted of three I beams placed parallel to the 14 ft. side, one at the middle and one each at the ends, with a spacing of 10 ft. 4 in. on centers, giving a clear span of 9 ft. 10 in. Each panel between these I beams was filled in with seven standard Type K Units, 16/16 gauge, placed perpendicular to the I beams and resting directly upon them, leaving a space of 2 in. between them directly over the center beam. The units were then tack welded to the top flange of the middle beam.

Cinder fill was placed over the beam sections to a depth of 2 in. The underside protection consisted of 2 in. gypsum ceiling tile (reinforced with No. 24 gauge painted expanded metal, $\frac{1}{2}$ in. mesh) which was covered with a thin finish coat of gypsum plaster. The tile were laid ship lap with 1 in. overlap and further reinforced longitudinally with two No. 8 gauge galvanized iron wires which, at the quarter points, protruded above the tile for 2 in. and provided a means of securing to the 1 in. channels which were secured to the Keystone beams at every third cell. The supporting steel was protected with hollow gypsum soffit tile 3 in. thick.

A load of 42,000 pounds of pig iron was distributed over an area of 14 ft. by 20 ft., equivalent to a load of 150 pounds per square foot. This construction was then subjected to a four-hour fire test (wood firing), in accordance with the accepted time temperature curve observed at that time, where the temperature reached 1738 degrees Fahrenheit at the end of thirty minutes, with averages as follows:

First half hour	1480° F.
Second half hour	1727° F.
Second hour	1730° F.
Third hour	1720° F.
Fourth hour	1755° F.

The results of this test were as follows:

The temperature of the Type K Unit reached a maximum of 201 degrees Fahrenheit (starting temperature 52 degrees Fahrenheit) with a corresponding temperature of the floor of a maximum of 161 degrees Fahrenheit. At the end of the four-hour period the deflections varied between 0.08 to 0.59. On the seven points check, after water application, the floor recovered so that this range was reduced to 0.03 in. to 0.14 in. The panel was then subjected to a 100 per cent. increase of load. Under a load of 300 pounds per square foot, the deflections ranged from 0.03 in. to 0.52 in. The load was then increased to 450 pounds per square foot and the deflections ranged from 0.07 in. to 0.70 in. The load was still further increased to 600 pounds per square foot with deflections ranging from 0.07 in. to 0.94 in. Practically one hour later the load was removed and the panel recovered so that the deflections ranged from 0.02 in. to 0.28 in.

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The hose stream applied consisted of a stream of water from a $1\frac{1}{8}$ in. diameter smooth bore nozzle having a pressure of 60 pounds per square inch and applied for five minutes against the underside of the test floor. The force of this hose stream shattered the ceiling tile but the expanded steel mesh reinforcing remained attached to the Type K Units. Throughout this test the Type K Units showed no evidence of distortion, the black paint on lower half was not discolored and there was no passage of smoke, flame or water through the floor panels.

A further test was conducted by the committee of the Board on the Type K Unit at the Underwriters' Laboratories, Incorporated, Retardant No. 2689. The panel tested consisted of Type K 18/18 flooring units, spanning 13 ft. 2 in. center to center and extending lengthwise nine units, or 17 ft. $10\frac{1}{2}$ in. These units were secured to the end beams by means of electric welds 1 in. in diameter and at the sidelaps by means of electric welds 1 in. long, 3 ft. on centers. Over the flooring was placed a 2 in. thickness of cinder fill, 1:3 $\frac{1}{2}$:5.

The underside of the floor was provided with runner channels fastened to the units by six S hooks made of 7-gauge wire to which the channels were wired. At right angles to the runner channels $\frac{3}{4}$ in. furring channels were placed 12 in. on centers and held against the runner channels with a double loop of No. 14 gauge wire.

A metal lath was secured to the channels with No. 18 gauge wire, 6 in. on centers. The ends of the metal lath lapped approximately 10 in. and the edges 1 to $1\frac{1}{2}$ in. The expanded metal lath was of $\frac{3}{8}$ in. diamond-mesh design, 3.1 pounds per square yard. The runner channels were $1\frac{1}{2}$ in. wide, $\frac{3}{8}$ in. deep, and the furring channels $\frac{3}{4}$ in. wide and $\frac{1}{4}$ in. deep.

The plaster was applied in two coats, both coats consisting of a mix of one part of Vermiculite (a hydrated magnesium-iron-aluminum silicate, weighing approximately 15 pounds per cubic foot dry) to three parts of gypsum plaster by weight. The first coat was applied approximately $\frac{1}{8}$ in. thick and the total thickness of both coats measured approximately $\frac{7}{8}$ in. from the surface of the lath.

One month after erection of this test assembly it was subjected to a standard fire test as provided in C26-579.0 (10.1.5.1) for a period of four hours and subjected to a hose stream test as provided in C26-586.0 (10.1.9) on a sample complying with the requirements of C26-588.0 (10.1.11.1) and loaded in accordance with the requirements of C26-589.0 (10.1.11.2) hereinafter described.

The panel was loaded by placing bricks in stacks, in a manner so as to preclude arching, at the rate of 170 pounds per square foot, with deflections recorded (Fig. 5).

The test was started, with gas used as a fuel, and thermocouples located so as to properly determine and control the furnace temperatures. An examination of the average furnace temperature curve indicates that it comes within the requirements of C26-580.0c (10.1.5.2), for a period of four hours.

During the test no development of cracks was noted on the plastered ceiling surface or the concrete floor. On the unexposed side, cracks occurred, accompanied by cracking noises. There were two cracks in the concrete floor which opened gradually as the test progressed to a maximum of about $\frac{3}{8}$ in. Cotton pads were placed over these cracks at several locations but did not ignite. The deflections throughout the test, including the hose stream test, are as shown on Figure 5.

The maximum temperature on the unexposed surface throughout the test did not exceed 191 degrees Fahrenheit (initial temperature 69 degrees Fahrenheit) while the temperature of the Type K Units averages

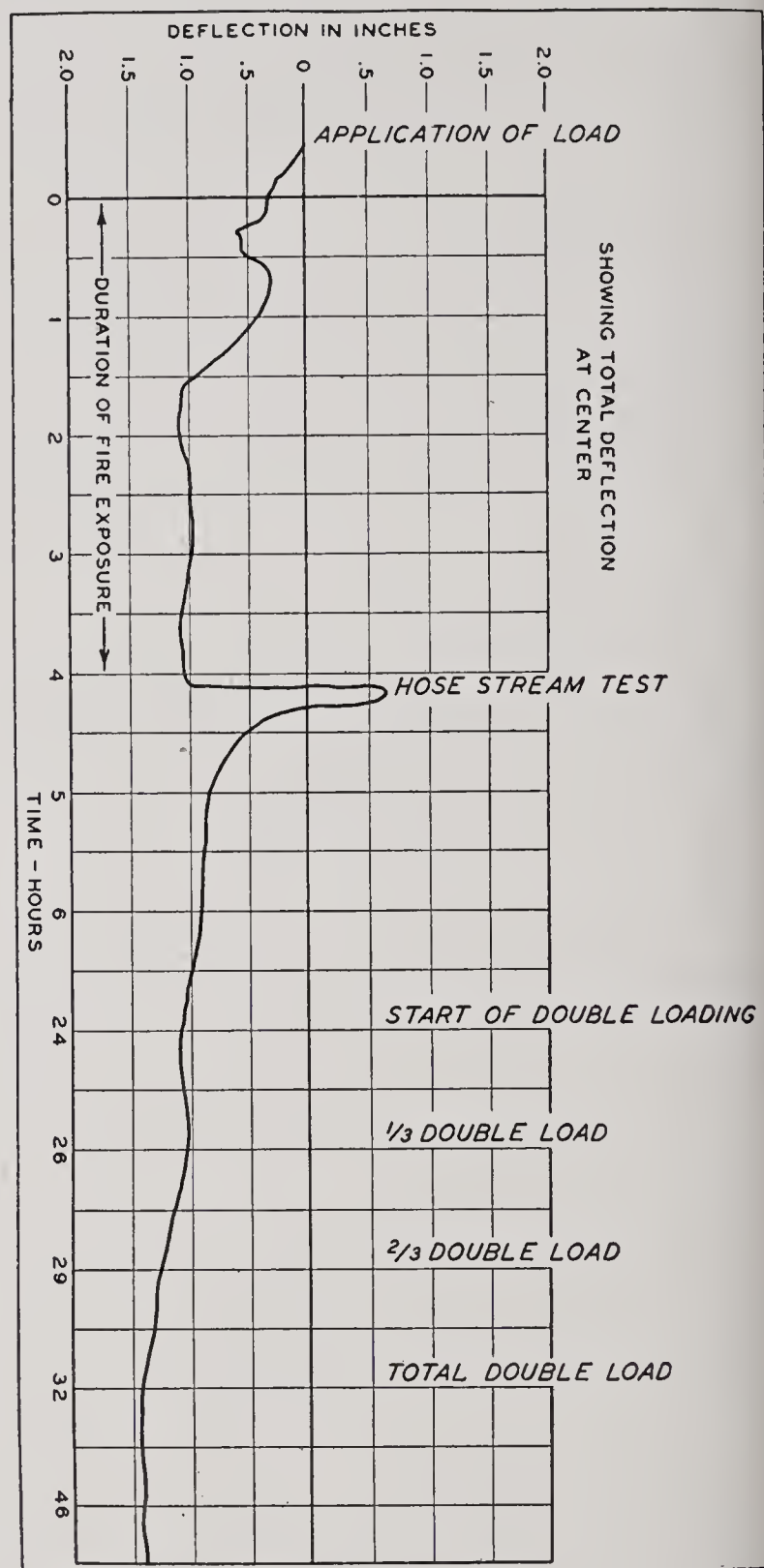


Figure 5

796 degrees Fahrenheit on the bottom face with a maximum of 819 degrees Fahrenheit.

After the four-hour exposure, the panel was then subjected to the impact, cooling and eroding action effect of a 45-pound hose stream, applied at a distance of 13 ft., at an angle of 70 degrees from normal for six minutes, fourteen seconds, over two-thirds the area (this was all the area that could be reached by the hose stream), which resulted in a slight washing-off of the plaster from the metal lath, the lath and the Type K Units appearing undamaged except for blistering of paint.

After cooling for twenty hours, the loading was increased 100 per cent. to a total load of 340 pounds per square foot with deflections as indicated on Figure 5. The panel carried the additional load without any signs of distress.

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The observations of this test indicated that there was practically no distortion in the lath, furring or steel floor, nor was there any evidence that the welds were broken at the joints between the unit or between the units and the I beam supports, and accordingly the requirements of C26-590.0 (10.1.11.3) were fully met.

FEATURES CLAIMED FOR THE ROBERTSON CELLULAR BEAM STEEL FLOOR CONSTRUCTIONS

The advantages of using this type of construction are:
Reduction of construction hazards.
Reduction of fire hazard because of elimination of wood forms.

Reduction of dead loads.
Early completion of operations.

A special feature of the floor is that the cells on six-inch centers can be used as wire raceways which permits electrical flexibility to floor areas.

RECOMMENDATIONS

On the basis of the foregoing data, meeting requirements of the fire tests under C26-590.0 (10.1.11.3) the Committee recommends that the Robertson Cellular Beam Steel Floor, Types K, FK, RK and UK (Fig. 1), be permitted, when *constructed with protection* as provided in the description of the Columbia and the Underwriters' Laboratories tests, described herein, as a fireproof floor and roof, having a fire-resistive rating of three hours under C26-619.0 (10.3.1), and under C26-239.0 (3.2.1), or in Class 2 construction, fire-protected structures under C26-240.0 (3.2.2.) (when a three-hour fire-resistive rating is required), and similarly Class 3, non-fireproof structures, under C26-241.0 (3.2.3), and may also be permitted to be used without protection to the steel flooring as floors in non-fireproof Class 3 buildings where no fire-resistive rating is required.

Approval is also recommended for UK and FK Units for use in roof construction under C26-241.0 (3.2.3), Class 5, C26-243.0 (3.2.5), when proportioned for loads as provided in C26-347.0 (7.3.2.5), and protected with approved roof surfacing. Approval is further recommended permitting the use of UK and FK Units *without any fire protection* to the steel roofing on roofs of Class 1 (fireproof) and Class 2 (fire protected) structures where protection is omitted from trusses as provided under C26-618.0 (10.2.8).

GENERAL PRECAUTIONS

The design of the floors and roofs, wherein these units are to be used, shall be in accordance with standard engineering practice and shall be capable of supporting all required loads *without exceeding an allowable fibre stress of 16,000 pounds per square inch*. The bearing on supporting steel shall be not less than 2 in. and each unit shall bear on at least two supports. Each alternate cell of each unit is to be secured to the supporting steel by properly proportioned fillet welds and side joints shall be fillet welded $\frac{1}{2}$ in. at not greater than 36 in. centers. Such welds shall comply with the Fusion Welding Rules of the Board of Standards and Appeals, and shall be protected with sealing coat of paint. Where there is any damage to the painted surface after erection, such surfaces shall be painted with a coat of asphalt base paint.

Openings in any floor or roof construction greater than 30 sq. in. must be reinforced with compensating steel.

All erection work, including welding and field cutting of holes, shall be performed by the applicant, or under his supervision, and shall, in every way, approach the standards as set forth in the test reports contained herein.

It is further recommended that each set of plans filed

with the Building Department shall be stamped or marked:

"Approved by the Board of Standards and Appeals, under Cal. No. 448-40-SM, when used in accordance with the requirements thereof."

Plans shall also show the type of unit used.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Robertson Cellular Beam Steel Floor and Roof Construction, Types K, FK, RK and UK, *on condition* that the material be manufactured, installed, and labeled, stamped or tagged in accordance with above report.

503-40-SM.

NOTE: In Bulletin No. 39, Vol. 25, issued September 24, 1940, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows:

THE RESOLUTION—

(503-40-SM)

WHEREAS, the A. B. C. Kalamein Door Company, owner, filed May 10, 1940, an application with the Board of Standards and Appeals for approval of the material known as the A. B. C. One and One-Half Hour Kalamein Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 13, 1940.

Re: Cal. No. 503-40-SM.

Subject: A. B. C. One and One-Half Hour Kalamein Door, approval of.

The A. B. C. Kalamein Door Company, 1431 Boone avenue, Bronx, New York, filed on May 10, 1940, an application with the Board of Standards and Appeals for the approval of the material known as the A. B. C. One and One-Half Hour Kalamein Door under the provisions of Sections C26-610.0 and C26-661.0, Administrative Building Code.

Tests of a sample door (Fig. 1) were performed at the Protexol Testing Laboratory, Kenilworth, New Jersey, on June 5, 1940, before a committee of the Board consisting of Commissioners Bernard A. Savage and Charles M. Blum and Chief Engineer Leslie V. Huber. The test sample was a full-sized door assembly consisting of a kalamein metal-covered single paneled door 2 ft. $11\frac{7}{8}$ in. wide and 6 ft. $9\frac{3}{4}$ in. high mounted in a pressed steel combined door frame and buck, set into the masonry wall of the furnace door. The top rail and stiles were $5\frac{3}{4}$ in. and the bottom rail 10 in. wide and $1\frac{7}{8}$ in. thick. The stiles and rails were covered on the exposed face with 24 gauge metal and on the unexposed face with 26 gauge steel. The stiles and rails had a white pine core, the top rail being nailed to the stiles with one No. 20 penny nail on each end, bottom rail being nailed to the stiles with two No. 20 penny nails on each end. The panel consisted of a sheet of $\frac{3}{8}$ in. thick asbestos millboard covered on both sides with 24 gauge steel, glued to the asbestos. Thirty

MINUTES

gauge metal channels, inserted in the groove sides of the stiles and returned in both sides of the door for 1½ in., received the panel which was then nailed to the stiles with nine 1½ in. nails and to the rails with two 1½ in. nails. The door was hung on two 4½ in. by

ABC ONE & ONE-HALF HOUR DOOR

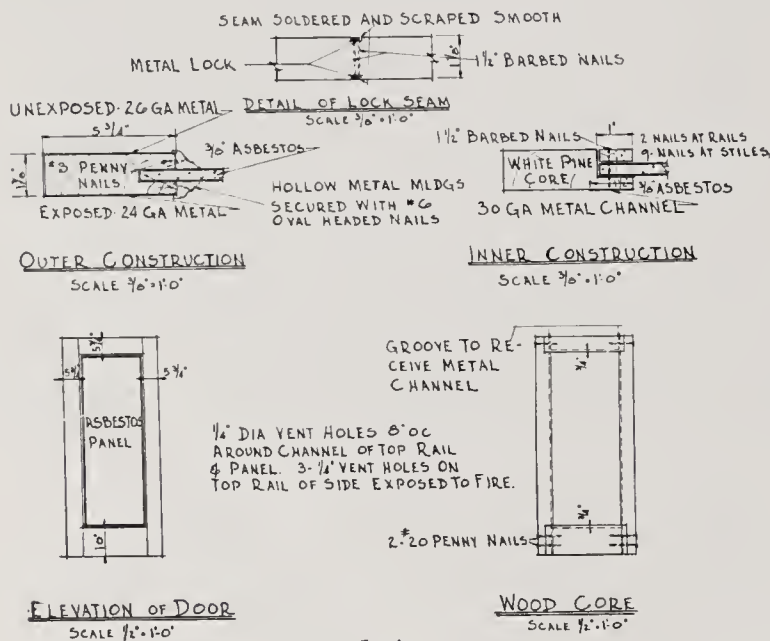


Fig. 1.

6 in. Bommer Spring Hinges and was fitted with a Sargent Mortise Lock, the latch and bolt of which had a throw of ½ in. The lock was located 3 ft. 3 in. above the bottom of the door. The top clearance was 3/32 in. at hinge side and 3/16 in. at lock side. Lock side clearances were 3/32 in. at top and 1/8 in. at bottom. Hinge side clearances were 1/8 in. at top and 0.0 in. at bottom. Bottom clearances were 3/16 in. at hinge side and 1/8 in. at lock side. The assembly was installed so as to permit the door to swing to the fire.

The test was conducted in accordance with the standard time temperature curve and maintained within the 5 per cent. area tolerance for the one and one-half hour period. The average rise of temperature at the end of three-quarters of an hour was 688 degrees Fahrenheit

on the unexposed side, indicating the need for ventilation in the panel and the top edge of the door. During the test there was no passage of smoke or flame through or around the door. At the termination of the ninety minute test the furnace door was swung open and the exposed face of the test sample was subjected to a standard hose stream test which it withstood without any change in structural condition. The door itself was then swung open and found to have a permanent set of 1 in. away from the furnace measured at the lock.

On the basis of this test, the Committee recommend the approval of the A. B. C. One and One-Half Hour Kalamein Door (Fig. 1) for use as a protection of openings in fire partitions (one and one-half hours) under Section C26-661.0 (10.8.2) as a protective opening in fireproof partitions (three-quarters hour) under Sec. C26-662.0 (10.8.3), Administrative Building Code and for use under the Multiple Dwelling Law which provides for a rating or one hour when used in fireproof partitions, when constructed and hung strictly in accordance with the specifications set forth herein.

The Committee recommends further that no glue be between the metal and the asbestos be used and that ventilation be provided by means of ¼ in. diameter hole 8 in. o.c. on all sides of panels and channel in top rail and that three ¼ in. diameter holes be provided on the top rail of the side exposed to the fire.

All opening protective assemblies manufactured under this approval shall comply with the rules of the Board of Standards and Appeals for the Protection of Opening Protective Assemblies, and that this approval shall remain in force until such rules are adopted.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Test

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals do hereby approve the material known as the A. B. C. One and One-Half Hour Kalamein Door, on condition that the material be manufactured, used, and labeled, stamped and tagged in accordance with above report.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 41

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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BZ, 88-40-BZ, 393-40-BZ, 528-40-BZ and 394-40-A.

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Fire Retarding Rules for Garages, etc.

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to a liquid and/or a gas.

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Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 1, 1940.

Cal. No. Department. Premises Affected.

936-40-A.....F.D.....31 West 71st street, north side,
220 ft. west of Columbus ave-
nue and Central Park West
(Block No. 1124, Lot No. 18),
Borough of Manhattan,
9232-L.F. and Decision.

937-40-SA.....Miller Oil Burner, Type OG-80,
Appliance.

938-40-BZ....H.B.Bx....2402-2422 Washington avenue and
480 East 188th street, south-
east corner (Block No. 3057,
Lot Nos. 11 and 13), Borough
of The Bronx,
Decision—re Certificate of
Occupancy.

939-40-A.....H.B.B.....128 Flushing avenue, southwest
corner of Clermont avenue
(Block No. 2032, Lot No.
29), Borough of Brooklyn,
Decision—re Permit 785-28
and Viol. 266-40.

940-40-BZ....H.B.Q.....73-05 Cooper avenue, north side,
54 ft. east of 73rd street
(Block No. 3691, Lot No. 25),
Glendale, Borough of Queens,
Misc. Applic. 4204-40.

941-40-A-WF.H.B.Q.....100-11 Astoria boulevard, north
side, 100 ft. east of 100th
street (Block No. 1658, Lot
No. 9), East Elmhurst, Bor-
ough of Queens,
Misc. Applic. 456-40.

942-40-BZ....H.B.B.....1927-1943 Atlantic avenue and 17-
31 Bancroft place, northeast
corner (Block No. 1558, Lot
Nos. 1 and 32), Borough of
Brooklyn, Alt. 4304-40.

943-40-S.....H.B.B.....2721 Stillwell avenue, east side,
580 ft. north of Neptune ave-
nue (Block No. 7247, Lot No.
191), Borough of Brooklyn,
Alt. 4854-40.

944-40-A.....F.D.....19 Richards street, southeast cor-
ner of Seabring street (Block
No. 505, Lot No. 60), Bor-
ough of Brooklyn,
5148-L.F. and Decision.

945-40-A.....H.B.Q.....112-20 Atlantic avenue, southwest
corner of 113th street (Block
No. 469, Lot Nos. 7 and 10),
Richmond Hill, Borough of
Queens, N.B. 5786-40.

946-40-BZ....H.B.B.....744-746 Howard avenue, west
side, 133.6 ft. south of Blake
avenue and east side of Tap-
scott street, 141 ft. south of
Blake avenue (Block No. 3550,
Lot No. 41), Borough of
Brooklyn, Alt. 3744-40.

947-40-A.....F.D.....206-212 West 34th street, south
side, 100 ft. west of Seventh
avenue (Block No. 783, Lot
No. 50), Borough of Man-
hattan, Decision.

948-40-SA.....Hev-E-Oil Burner,
Appliance.

949-40-SM.....Washington Brand Hydrated Fin-
ishing Lime, manufactured by
The Standard Lime and Stone
Company, Material.

950-40-BZ....H.B.B.....7610 Fourth avenue, west side, 59
ft. south of 76th street (Block
No. 5950, Lot No. 47), Bor-
ough of Brooklyn,
Alt. 4709-40.

951-40-BZ....H.B.Q.....102-31 Queens boulevard, south-
east corner of 68th avenue
(Block No. 2137, Lot No. 8)
Forest Hills, Borough of
Queens N.B. 3186-40.

952-40-A.....H.B.Bx....West side of University avenue
280 ft. south of West 171st
street (Block No. 2533, Lot
No. 29), Borough of The
Bronx, N.B. 691-40.

953-40-BZ....H.B.Q.....134-22 Jamaica avenue, south
side, 200.17 ft. west of Var-
Wyck boulevard, and 88-00
Van Wyck boulevard (Block
No. 9342 (236), Lot Nos. 25
9 and 7), Jamaica, Borough of
Queens,
Alt. 2428-40.

Restored to Calendar.

939-23-BZ....H.B.B.....1943-1961 Pacific street, north
side, 120 ft. east of Buffalo
avenue (Block No. 1339, Lot

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No. 78), Borough of Brooklyn, Curb Cut Applic. 841-40.

OCTOBER 8, 1940, 10 A. M.

Building Zone Applications.

624-39-BZ....H.B.Q....177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens, N.B. 3264-39.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 8, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On September 27, 1940, George H. Cohn, attorney, served on the Board of Standards and Appeals, petition and order of certiorari, on behalf of Cities Service Oil Company, objector, in re decision of Board granting extension of gasoline station, Cal. No. 407-40-BZ, on July 19, 1940, affecting premises 1927-1935 Flatbush Avenue, Borough of Brooklyn.

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CAL. NO. 335-40-BZ—Application, April 3, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Long Island Sound Realty Company, owner, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

CAL. NO. 560-40-BZ—Application, May 24, 1940, under sections 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Marion Ward, owner (Arthur C. Bergen, lessee), to permit, partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, automobile showroom and motor vehicle repair shop; premises 430-432 East 188th street, south side, 100.48 ft. east of Park avenue, and 451-453 Cyrus place (Block No. 3041, Lot No. 37), Borough of The Bronx.

CAL. NO. 1515-39-BZ—Application, December 14, 1939, under section 21 of the building zone resolution, of Clinton C. Tyrrell, applicant, on behalf of Rockaway Point Development Corporation, owner (Rockaway Operating Company, Incorporated, lessee), to permit in a business use district the maintenance of a gasoline service station and motor vehicle repair shop; premises 105 Rockaway Breezy boulevard, north side, 400 ft. east of Reid avenue (Block No. 900, Lot No. 1), Rockaway Point, Borough of Queens.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47), Borough of Brooklyn.

CAL. NO. 591-40-BZ—Application, June 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Edward Sperry, owner, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station;

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premises 168-02 to 168-08 Liberty avenue and 103-01 to 103-03 Merrick boulevard, southeast corner (Block No. 10221, Lot No. 7), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

914-40-A—2-6 East 61st street and 795 Fifth avenue, southeast corner (Block No. 1375, Lot No. 67), Borough of Manhattan.

916-40-A—42-48 East 67th street, south side, 140 ft. west of Park avenue (Block No. 1381, Lot Nos. 42½ to 45, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 8, 1940, 2 P. M.

Appeals from Administrative Decisions.

618-40-A—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

784-40-A—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

645-40-A—114-02 Triton avenue (Boardwalk), north side, from Beach 114th street to Beach 115th street (Block No. 659, Lot Nos. 30, 32, 34, 47 and 40), Rockaway Beach, Borough of Queens.

890-40-A—3600-3620 Jerome avenue, east side, 35.08 ft. north of East 213th street (Block No. 3329, Lot No. 85), Borough of The Bronx.

899-40-A—188-238 Empire boulevard, south side, 99 ft. 3 in. west of Rogers avenue (Block No. 1314, Lot Nos. 21 and 29), Borough of Brooklyn.

878-40-A-WF—108-29 Queens boulevard and 109-01 to 109-07 71st road, northwest corner (Block No. 2224, Lot No. 1), Forest Hills, Borough of Queens.

901-40-A—170-03 to 170-59 Pidgeon Meadow road, north side, between Auburndale lane and Fresh

Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens.

906-40-A—160-01 Northern boulevard, northeast corner of 160th street (Block No. 5280, Lot No. 6), Flushing, Borough of Queens.

907-40-A—33-34 84th street, west side, 320 ft. south of Northern boulevard (Block No. 1431, Lot No. 22), Jackson Heights, Borough of Queens.

920-40-A—42-02 Vernon boulevard, west side, 290.37 ft. north of 43rd avenue (Block No. 484, Lot No. 15), Long Island City, Borough of Queens.

921-40-A—58-04 to 58-56 189th street, west side, between World's Fair boulevard and 58th avenue and 535 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens.

927-40-A—58-07 to 58-55 189th street, east side, between World's Fair boulevard and 58th avenue (Block No. 5693, Lot No. 14), Flushing, Borough of Queens.

929-40-A—73-02 190th street, southwest corner of 73rd avenue, and 73-06 190th street, west side, 600 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens.

930-40-A—73-03 190th street, southeast corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

931-40-A—73-07 190th street, east side, 604 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

932-40-A—73-11 190th street, east side, 564 ft. north of 75th avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

933-40-A—58-48, 58-52 and 58-56 217th street, northwest corner of World's Fair boulevard and west side of 217th street, 36.03 ft. and 76.03 ft. north of World's Fair boulevard (Block No. 7467, Lot No. 3), Bayside, Borough of Queens.

934-40-A—58-47, 58-51 and 58-57 217th street, northeast corner of World's Fair boulevard and east side of 217th street, 50.41 ft. and 90.41 ft. north of World's Fair boulevard (Block No. 7468, Lot No. 1), Bayside, Borough of Queens.

935-40-A—211-48 Jamaica avenue, south side, 141.96 ft. west of 212th street (Block No. 10836, Lot No. 55), Queens Village, Borough of Queens.

Variation of the Labor Law.

943-40-S—2725 Stillwell avenue, east side, 580 ft. north of Neptune avenue (Block No. 7247, Lot No. 191), Borough of Brooklyn.

CALENDAR

OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Beulem Realty Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 1220-39-BZ—Application, October 5, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ansel P. Verity and George Deylen (Johnson and Scharfman, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

CAL. NO. 631-40-BZ—Application, June 12, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of Bowery Savings Bank, owner (345

West 34th Street Parking Corporation, lessee), to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan.

CAL. NO. 1172-39-BZ—Application, September 22, 1939, under section 7h of the building zone resolution, of Catherine Conigliano and Francisco Conigliano, applicants and owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn.

CAL. NO. 950-39-BZ—Application, July 13, 1939, under sections 7f and 21 of the building zone resolution, of James Britton Halley, applicant and lessee, on behalf of Olga Roman and Harriet Britton, owners, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a stated term; premises 3457-3459 Mickle avenue and 3450-3452 Eastchester road, east side, 311 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

CAL. NO. 1490-39-BZ—Application, December 8, 1939, under section 21 of the building zone resolution, of George W. Kibitz, applicant, on behalf of The Actinograph Corporation, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx.

CAL. NO. 38-40-BZ—Application, January 11, 1940, under sections 7h and 21 of the building zone resolution, of Samuel G. Thomson, Jr., applicant and owner, to permit on a plot, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles on that portion of the plot in the business use district; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

CAL. NO. 617-40-BZ—Application, June 10, 1940, under sections 7c and 21 of the building zone resolution, of Murray Klein, applicant, on behalf of Emanuel Levy and Philip Pifko, owners, to permit the erection and maintenance of a one-story business building (store), partly in a business use district and partly in a residence use district; premises 1623-1629 East 17th street, east side, 105 ft. ¾ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn.

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CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 110-37-BZ—Application of Arnold W. Lederer, applicant, on behalf of Putnam Theatrical Corporation, owner (Joseph Stoy, lessee), reopened and restored to Calendar September 24, 1940, under sections 7h, 7f and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57 to 59, inclusive, 28 and 29), Borough of Brooklyn.

CAL. NO. 179-37-BZ—Application of Irving M. Fenichel, applicant, on behalf of Louis M. Brann, owner (New Method Service Company, Incorporated, lessee), reopened and restored to Calendar September 24, 1940, under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory use to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board); (previously withdrawn); premises 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifdodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65

to 67, inclusive), Borough of The Bronx.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

887-40-A—47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

896-40-A—680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens.

OCTOBER 22, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

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- CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.
- CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.
- CAL. NO. 431-40-BZ—Application, April 24, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of George L. Lawson and Estate of William W. Lawrence (J. Y. Brown, A. A. Gulick and C. P. Williamson, trustees), owners (Kesbec, Incorporated, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 317-325 West 59th street, north side, 186 ft. west of Columbus Circle (Block No. 1112, Lot Nos. 15, 115, 16 and 17), Borough of Manhattan.
- CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.
- CAL. NO. 605-40-BZ—Application, June 6, 1940, under sections 7c and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of City of New York and Brick's Service Stations, Incorporated, owners, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.
- CAL. NO. 332-40-BZ—Application, April 2, 1940 under section 21 of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Harry Bram, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2747-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.
- CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.
- CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.
- CAL. NO. 633-40-BZ—Application, June 12, 1940, under sections 7f, 7i and 21 of the building zone resolution, of A. Paul Loshen, applicant, on behalf of Minnie Weinstein, owner, to permit in a business use district the erection and maintenance of a gasoline service station and motor vehicle repair shop; premises 195-05 Linden boulevard, northeast corner of 195th street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens.
- CAL. NO. 88-36-BZ—Application of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner, reopened May 28, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles; premises 3170-3178 Broadway and 28-34 Tiemann place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.
- CAL. NO. 928-40-BZ—Application, September 23, 1940, under section 7a of the building zone resolution, of The Finkel Umbrella Frame Company, Incorporated, applicant and

CALENDAR

owner, to permit in a residence use district, on a plot partly in a residence use district and partly in a business use district, the extension of an existing factory building; premises 890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx.

CAL. NO. 748-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an administration building for use in connection with a sewage disposal plant; premises southwest end of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 749-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a pumping station to be used in connection with a sewage disposal plant; premises southeast part of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beudel, owner (Beudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 22, 1940, 2 P. M.

Appeals from Administrative Decisions.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

910-40-A—135-60 108th street, west side, between Peconic street and 135th avenue and in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block), Aqueduct, Borough of Queens (Aqueduct Race Track); (under section 35, General City Law, re Bed of Mapped Street).

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 22, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 919-40-BZ—Application, September 17, 1940, under section 7j of the building zone resolution, of George A. Boehm, applicant, on behalf of Victor Moore and Broadway-75th Street Corporation, owners, to permit in a business use district the erection of a business building to be occupied in part as a bus station; premises 74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

CAL. NO. 953-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Electus D. Litchfield, applicant, on behalf of Fairchild Aviation Corporation, owner, to permit the erection of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district; premises 134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard (Block No. 9342, (236), Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 29, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 29, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 562-32-BZ—Application of Lama and Proskauer applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50) St. Albans, Borough of Queens.

CALENDAR

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1940, 2 P. M.

Appeal from Administrative Decision.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, OCTOBER 1, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, September 17, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, September 17, 1940, were approved as printed in Bulletin No. 39, Vol. 25.

BUILDING ZONE CASES.

207-33-BZ.

APPLICANT—Samuel J. Ziegler, for City Bank Farmers Trust Company, trustee for Georgie McDonald Phillips, owner.

SUBJECT—Application reopened and restored to Calendar May 21, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65, 66 and 67), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel J. Ziegler, Nathan Ziegler, Herman J. Maurer and Henry Nordheim.

For Opposition: Earl I. Gallant.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., for applicant to obtain further information.

223-40-BZ.

APPLICANT—Samuels and Samuels, for Elmo Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: W. Pyne, Florence A. O'Connor and Joseph O'Connor.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., on request of objectors' representative.

529-40-BZ.

APPLICANT—Lama and Proskauer, for Cliffdodge Estate, Incorporated, owner.

MINUTES

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and A. John Eder.
For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1940, at 10 A.M., so that applicant can submit revised plans.

415-40-BZ.

APPLICANT—Andrew A. Marjey, for Borough Hall Holding Corporation, owner.

SUBJECT—Application reopened September 17, 1940, for consideration—re amendment of resolution—re Application (decision of the borough superintendent of buildings), previously granted on condition under section 7c of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores on first story and offices on second story).

PREMISES AFFECTED—124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey and John P. McGrath.

For Opposition: None.

ACTION OF BOARD—Placed on Reserve Calendar.

230-40-BZ.

APPLICANT—Reginald S. Hardy, for Winchester Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application withdrawn without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

624-39-BZ.

APPLICANT—Lama and Proskauer, for Charlotte Smith, owner.

SUBJECT—Application for consideration—reopening and reconsideration under section 7f of the building zone resolution, as amended—re Application (decision of the borough superintendent of buildings), previously denied under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—177-12 to 177-22 Union Turnpike, south side, 345.17 ft. east of Utopia parkway

(Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

1183-39-BZ.

APPLICANT—Henry Nordheim, for Josephine Mauriello, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3057 Webster avenue, north side, 298.78 ft. east of Mosholu Parkway North (Block No. 3331, Lot No. 73), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: Earl I. Gallant.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(1183-39-BZ)

WHEREAS, Henry Nordheim, for Josephine Mauriello, owner, filed September 26, 1939, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Mosholu Parkway North (Block No. 3331, Lot No. 73), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 1, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue is in business and unrestricted use districts; that Mosholu Parkway North is in unrestricted, business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 25, 1939, re request for certificate of occupancy, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at above mentioned premises is denied as the premises are located partly in a Residence District and partly in a Business District as established by the Amended Building Zone Resolution and such occupancy is contrary to Section 4, Articles 2 and 3 of said Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 10.75 ft. on Webster avenue, a distance along the rear lot line of 85.65 ft. and a depth of 120 ft., on which is located a two-story frame dwelling, a one-car metal garage and a shed; it is proposed to occupy the remainder of the plot as a parking and storage space for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to hearing; and

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WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7f, for a period of two (2) years, *on condition* that the premises shall be maintained as now existing; that the curb cut shall not be widened; that the parking and storage of motor vehicles shall be limited to cars of the pleasure-car type; that there shall be no signs erected on the premises, except that there may be a sign attached to fence advertising the parking and storage use; that such sign shall not extend beyond the building line and shall not exceed 15 sq. ft. in area; that such parking and storage shall be restricted to the area within the business use district, and that all permits shall be obtained and all work shall be completed within six (6) months from the date of this resolution.

88-40-BZ.

APPLICANT—John J. Beatty, for Joseph J. Cambell (lessee), for May E. Cambell, owner.

SUBJECT—Application reopened September 10, 1940—re amendment of resolution—re Application (decision of the borough superintendent of buildings), previously granted on condition under section 7g of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles.

PREMISES AFFECTED—1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(88-40-BZ)

WHEREAS, this application, under sections 7a and 7g of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the inclusion in the proposed garage of an existing garage for five (5) motor vehicles, premises 1290-1300 Decatur street, south side, 100 ft. west of Knickerbocker avenue (Block No. 3436, Lot Nos. 24 and 26), Borough of Brooklyn, was granted by the Board May 14, 1940, on certain conditions; and

WHEREAS, John J. Beatty, for Joseph J. Cambell (lessee), for May E. Cambell, owner, requested amendment of the resolution; and

WHEREAS, this application was reopened by the Board September 10, 1940, so as to permit the necessary publications in the Bulletin of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on May 14, 1940, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7g thereof, to permit the reconstruction and rearrangement of the existing legal garage buildings, as indicated on plans filed herewith, *on condition* that the building to be used as an addition to the existing one-story brick garage at the rear shall be constructed of fireproof material, except that the roof may be of wood

beams and wood boarding, provided the ceilings throughout the proposed extension and the existing garage are re-retarded in accordance with the rules of the Board and that the roof is surfaced with weather surfacing of approved type; that there shall be no windows or other openings to adjoining interior lots; that there shall be no signs erected on the roof or any portion of the building, except a sign which may be erected over the entrance, if desired, on Decatur street not over 5 sq. ft. in area; that one gasoline tank not exceeding 550 gallons may be erected within the building line and a gasoline pump for supplying solely the cars housed within the existing and proposed garage and not for sale to passing motorists; that no sign shall be erected on the exterior of the building advertising the existence of the gasoline service station or the sale of gasoline; that said gasoline tank and pump shall be located as at present, outside the existing garage, but may be within the proposed garage, provided it is not nearer than 40 ft. to Decatur street; that during the term of this permit the premises shall be used for no other uses than as herein permitted, for the storage of motor vehicles; that no automobile repairing shall be carried on and no sale of gasoline other than to the owners of cars stored in the garage; that no portable gasoline pumps shall be used on the premises; that the boiler room below grade shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building.

Resolved further, that in the event the owner desires to reduce the size of proposed garage so that same will have a frontage of 50 ft. instead of 65 ft., the terms of this resolution will still hold, permitting the erection of a building of the reduced size as proposed, provided in all other respects the requirements of the resolution of May 14, 1940, are complied with, provided that there shall be maintained at all times a substantial steel fence on the building line between the present two-story residence building and the proposed garage, with an opening not in excess of 10 ft. therein for access to the present rear garage, and that all permits shall be obtained and all work shall be completed within one (1) year from the date of this amended resolution."

393-40-BZ.

APPLICANT—The Mortgage Corporation of New York, owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Julien L. Bartelstone (doing business as Pilgrim Refrigerator Company), lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and for the manufacture of signs.

PREMISES AFFECTED—45-29 to 45-35 50th street (Fitting street), east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Richard W. Hague, Jr., John J. Hannan, Peter Weiss, M. M. Rice, L. F. Siedman, D. Duffy Lane, William H. Ryalls, Raphael Glucroft and S. H. Herbert.

For Opposition: M. Martin, John Sinclair, Louis De Leonard, Terence McCabe and V. Montgomery.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

MINUTES

THE RESOLUTION—

(393-40-BZ)

WHEREAS, The Mortgage Corporation of New York, owner, filed April 16, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a building occupied as a garage for more than five (5) motor vehicles, a motor vehicle repair shop and for the manufacture of signs; premises 45-29 to 45-35 50th street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 1, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 50th street is in residence and business use districts; that Queens boulevard is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1095-40, dated June 19, 1940, reads:

"Re: Amendment of June 18th, 1940.

Your request to use the existing building at the above location as a garage for more than five motor vehicles, a motor vehicle repair shop and the manufacture of signs, is denied as premises are located in a Residence District, and the proposed uses are contrary to Art. 2, Sect. 3 of Zone Law.

Not further considered."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 200 ft. and an average depth of 41½ ft.; there is located on the plot a one-story non-fireproof building, divided into three sections, occupied as a garage in section No. 1, a repair shop in section No. 2, and for the manufacture of signs in section No. 3; it is proposed to maintain this condition; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1095-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

528-40-BZ.

APPLICANT—Lama and Proskauer, for Herman O. Behn, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of a gasoline service station, brake service station, lubritorium and store use.

PREMISES AFFECTED—114-20 101st avenue, southwest corner of 116th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(528-40-BZ)

WHEREAS, Lama and Proskauer, for Herman O. Behn,

owner, filed May 16, 1940, an application under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of a gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 1, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 101st avenue is in a business use district; that 115th and 114th streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 723-40, dated May 8, 1940, reads:

"2. The extension of the gasoline station, brake service, lubritorium and store partially within business and partially in residence districts are contrary to Art. 2, Sec. 3 and 4 Building Zone Res.

Application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 42 ft. on 101st avenue and 107 ft. on 115th street; the southerly portion of the plot extends for a distance of approximately 7 ft. into the residence use district, while the remainder of the plot is in a business use district; upon the plot there is a group of non-fireproof buildings, occupied as stores, office, brake service station and garages; there is a 550-gallon storage tank and pump located in one of the garage structures; it is proposed to remove and to relocate the street walls of the 101st avenue front of the buildings, to relocate the tank and pump, and to use the resulting space, 23 ft. by 42 ft. in area, as a gasoline service station and, also, to alter and convert the occupancy of the other buildings on the site to a brake service station, lubritorium and three-car garage; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the reconstruction of the legally existing gasoline service station, so as to provide a gasoline selling area towards 101st avenue, and to re-arrange the existing building substantially as indicated on plans marked "Received September 25, 1940", on condition that the walls on the street front shall be faced with face brick and maintained unpainted; that the gasoline selling area shall be cement-paved; that the existing gasoline pumps shall be removed and new pumps shall be installed not nearer than 15 ft. to the street building line of 115th street; that curb cuts shall be restricted to one curb cut, not over 32 ft. in width, on 101st avenue, no portion of which curb cut to be nearer than 5 ft. to side lot lines as projected; that curb cuts on 115th street shall be restricted to one not over 25 ft. in width to gasoline selling area, no part of which shall be nearer than 5 ft. to building line as projected, and one not over 22 ft. in width for access to proposed laundry; that all other parts of the curb shall be restored and the sidewalk paving restored or reconstructed; that the existing boiler-room below grade shall be separated from other parts of the building by fireproof construction and enterable only from the exterior; that other than the boiler-room there shall be no open excavation below grade except the pit for brake-testing; that the existing cellar, shown under a portion of the building, shall be completely filled to grade; that the boiler-room shall be used for no other pur-

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poses than heating; that gasoline tank storage shall be limited to three (3) 550-gallon tanks; that these premises shall be used for no other purposes than has been previously legally permitted and as permitted herein, including brake service and minor repairs that can be done by hand tools only; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline sold, and permitting such sign to extend beyond the building line near the intersection of 101st avenue and 115th street not more than 4 ft.; that there shall be no openings between the building and adjacent properties; that there may be, however, openings in the rear of lubritorium space, provided same are filled with approved fire-resisting glass blocks complying with the requirements of the Building Code and with no section openable; that no new skylight shall be installed nearer than 10 ft. to the side or rear lot lines; that there shall be no openings between the store and lubritorium and brake-testing space except for two doors, which shall be fire-proof and self-closing, and except that other openings may be maintained provided same are filled with approved fire-resisting glass blocks as herein permitted for rear wall; that no portable gasoline pump shall be used on or from the premises; that there shall be no parking or storage of cars other than those being serviced; that there shall be erected at the intersection of 101st avenue and 115th street a block of concrete not less than 1 ft. in height and not less than 5 ft. along either building line; that said block may be triangular in shape; that complete working drawings shall be submitted, prior to the filing with the borough superintendent of buildings, for approval by the chairman in behalf of the Board in compliance with the terms of this resolution, such plans to be filed within one (1) month after approval of this action, and that all work shall be completed within one (1) year from the date of such approval of plans.

APPEAL FROM ADMINISTRATIVE DECISION.

394-40-A.

APPLICANT—The Mortgage Corporation of New York, owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Pilgrim Refrigerating Company, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: R. W. Hague.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M., for further consideration by the Board.

Adjourned, 1:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, OCTOBER 1, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

939-23-BZ.

APPLICANT—Arnold W. Lederer, for Mary R. Lamb and Ellen Lamb, owners (Dependable Auto Sales Company, lessee).

SUBJECT—Application for consideration—reopening and rehearing on new proposal (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a residence use district the parking of more than five (5) motor vehicles (previously denied—re erection of garage for more than five (5) motor vehicles).

PREMISES AFFECTED—1943-1961 Pacific street, north side, 120 ft. east of Buffalo avenue (Block No. 1339, Lot No. 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

845-39-BZ.

APPLICANT—Bryan Brady, for Jack Nelson, lessee, for Harris Goody Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(845-39-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection of an accessory building on an existing gasoline service station, premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn, was granted by the Board January 30, 1940, on certain conditions, and the owner requested an amendment of the resolution; and

WHEREAS, at the hearing there were no appearances made on behalf of the applicant.

Resolved, that the request to reopen be and it hereby is dismissed for lack of prosecution.

39-34-BZ.

APPLICANT—Dale Carnegie, owner.

SUBJECT—Application reopened July 9, 1940, for consideration as to extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

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APPEARANCES—

For Applicant: Bryce Rea and Thomas F. Dwyer.
For Opposition: William R. Murphy, Mabel H. Easter, Martha Berg, Thomas Keenan, Ida M. Easter, Gertrude B. Murphy, Charles Scholz, John D. White, Everett H. Frost, Franklin W. Vail, Jr., Richard T. Tack, Herbert Krieger, Walter A. Kaiser and F. H. Wadsworth.

ACTION OF BOARD—Motion to extend permit denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Not Voting: Assistant Chief McCarthy	1

THE RESOLUTION—

(39-34-BZ)

WHEREAS, this application to permit in a residence use district, under section 21 of the building zone resolution, the change of occupancy of an existing building to business use (restaurant), premises northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens, was granted by the Board June 26, 1934, after inspection, under limited conditions designed to protect the neighboring owners; and

WHEREAS, the term of the permit was extended in two-year periods to June 28, 1940, after which the application was reopened July 9, 1940, and set for hearing October 1, 1940, with notification to property owners; and

WHEREAS, the terms of this resolution have not been complied with and there has been undue annoyance to the neighboring owners, particularly since the occupancy purporting to be a civic club; and

WHEREAS, in the opinion of the Board there is no continuance of unnecessary hardship to justify granting an extension of the variance under section 21 of the building zone resolution.

Resolved, that the motion to extend the permit be and it hereby is *denied*.

44-38-BZ.

APPLICANT—Arthur W. Renander, for Gertrude C. Vandewater, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(44-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens, was granted by the Board November 9, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 9, 1938, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision h, *for a period of two (2) years from the date of this amended resolution*, permitting the plot under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that during the term of this variance the plot shall be used for no other use; that the plot shall be leveled substantially to the grade of 164th and 165th streets and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that all existing buildings shall be removed from the plot and no building erected, except there may be erected a building not over one story in height, not over 150 sq. ft. in area as an office and shelter for attendant; that there shall be erected on interior lot lines and on street building lines a substantial woven-wire fence not less than 6 ft. in height; that there shall be not less than two (2) openings for exit and entrance, one to each street, not exceeding 20 ft. each in width, with curb cuts opposite of similar width; that no sign shall be erected on the premises, except there may be a sign attached to the fence at each opening, not over 15 sq. ft. in area, and advertising only the transient parking use and the rates charged; that this lot may be used in conjunction with adjoining lot to the north and under the same management and control, a zoning variance for which was granted by this Board under Cal. No. 107-37-BZ, in which case the wire fence required thereunder, to separate lots 52 and 48, may be omitted; that proper aisles shall be maintained at all times to permit the easy ingress and exit of cars; that such proper fire-fighting appliances shall be maintained as the fire commissioner shall direct.”

APPEALS FROM ADMINISTRATIVE DECISIONS.

1517-39-A.

APPLICANT—Meyer Strauss, for Estate of Martha W. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Meyer Strauss and Fannie Strauss.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M., for inspection by a committee of the Board and pending report of Division of Combustibles.

597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and, also, for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. Meredith Langstaff.

For Owner: Lowell M. Birrell, Herbert A. Birrell, Morris Klein, William E. Rae and Henry C. Bohack.

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For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 22, 1940, at 2 P.M., for decision by the Board without further argument.

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M., pending report of Division of Combustibles.

645-40-A.

APPLICANT—Gabriel Nathan, for Home Life Insurance Company, owner (Walden-Davison Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—114-02 Triton avenue (Boardwalk), north side, from Beach 114th street to Beach 115th street Block No. 659, Lot Nos. 30, 32, 34, 47 and 40), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Gabriel Nathan.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M., on request of applicant.

808-40-A.

APPLICANT—Charles Wagner Manufacturing Company, Incorporated (lessee), for A. Ludwig and Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 8, 1940, at 2 P.M. Applicant to be notified.

831-40-A.

APPLICANT—Mary E. Wezel, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mary E. Wezel and Otto Wezel.

ACTION OF BOARD—Laid over to November 13, 1940, at 2 P.M., pending compliance with certain items of the Fire Department order.

896-40-A.

APPLICANT—William Engel, for 680 Woodward Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M., for inspection by a committee of the Board.

815-40-A.

APPLICANT—New York and Richmond Gas Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of Willow avenue, 614 ft. west of Bay street (Block No. 2841, Lot No. 91), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: D. Kyle, Jr., John Kohout and R. Van Vliet.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(815-40-A)

WHEREAS, New York and Richmond Gas Company, owner, filed July 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises north side of Willow avenue, 614 ft. west of Bay street (Block No. 2841, Lot No. 91), Stapleton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent of buildings, on F.P. Application No. 25-40, dated July 1, 1940, reads:

"In reference to premises, Northwest corner Willow Avenue and Bay Street, please be advised that the Fire Department has forwarded the following letter to us under date of May 22, 1940:

Papers submitted by you in relation to the proposed erection and storage of a 238,000 gallon oil storage tank at the above premises have been duly considered.

Proposed site cannot be deemed acceptable and the requirements for fire extinguishing purposes cannot be set forth due to the fact that the Board of Standards and Appeals in the matter of Calendar No. 286-22-A, imposed a condition that the capacity of the plant at these premises be not increased."

and

WHEREAS, the premises consist of a block fronting on the southwesterly side of Bay street and Willow avenue, between the south line of Bay street and the Staten Island Rapid Transit right-of-way, now occupied for the manufacture and distribution of illuminating gas; and

WHEREAS, it is proposed to construct a steel tank 38 ft. in diameter and 28 ft. in height for the storage of 238,000 gallons of gas enrichment oil; and

WHEREAS, the applicant contends that the proposed tank will be protected by a dyke; that the present foamite and steam systems will be extended so as to form protection to this tank; that such other fire-extinguishing equipment as the Board may direct will be installed; that pursuant to the requirements of the Public Service Commission, in each case the company provided for the storage of not less than two months' supply of oil for use in the manufacture of gas; that the gas manufactured at this plant is known as carbeuretted water gas, which uses large quantities of gas, oil and coke in the process; that this oil consists of gas oil having a flashpoint of 155 degrees Fahrenheit and gas enrichment oil having a flashpoint of 275 degrees Fahrenheit; that in order to provide an uninterrupted supply of gas conforming with the Public Service Commission requirements, it is necessary to provide the proposed additional oil storage; that the proposed gas enrichment oil is received in large loads of 100,000 gallons, which would be less than fourteen days' supply during peak months; that it is therefore necessary to provide

MINUTES

an additional tank of 238,000 gallons capacity in order to have a sufficient supply of gas enrichment oil at all times; that the present tank shown on plans now used for the storage of gas enrichment oil has a capacity of 55,000 gallons, will be taken out of service for overhauling and repair; that there is no available site at applicant's plant other than that proposed; that in view of the Public Service Commission requirements, such oil storage must be located more than 100 ft. from its gas holders; that the applicant requests the Board to grant a modification to permit the installation of the tank as proposed, subject to such reasonable conditions as the Board may deem necessary.

Resolved, that the decision of the borough superintendent of buildings, on F.P. Application No. 25-40, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the tank shall be constructed, arranged and equipped as shown on plans filed with this appeal and at all times used for the purpose proposed; that the connection of the present foamite system and the fire-fighting equipment shall be arranged and maintained to the satisfaction of the fire commissioner.

817-40-A.

APPLICANT—Susan R. Hunt, for Henry Brien and Edward LeClerc, owners (Walter J. Taylor, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—441 West 40th street, north side, 310 ft. east of Tenth avenue (Block No. 1050, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Susan R. Hunt.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

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THE RESOLUTION—

(817-40-A)

WHEREAS, Susan R. Hunt, for Henry Brien and Edward LeClerc, owners (Walter J. Taylor, lessee), filed July 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 441 West 40th street, 310 ft. east of Tenth avenue (Block No. 1050, Lot No. 13), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on an application for a certificate of occupancy, dated July 17, 1940, reads:

"With reference to your application dated June 22nd, 1940, for a certificate of occupancy and your letter of July 8th, 1940, requesting the issuance of said certificate, we wish to advise you that inspection was made of the above premises and our inspector reports the use of lot for a parking and storage space for more than five motor vehicles is contrary to Article 5, Section 21A, amended building zone resolution by reason of premises being situated in the same portion of a street between two intersecting streets where there exists an entrance and exit to a Public Library and within 200 feet of same. No drop curb provided or permit for same obtained."

and

WHEREAS, the premises consist of a building 25 ft. by 98 ft. in area, located in an unrestricted use B area district, which it is proposed to use for the storage of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that on June 1, 1940, the adjoining building at 443 West 40th street was demolished leaving a party wall of the building on the premises in question in a weakened condition so that it had to be braced; that the owner was informed by the building inspector that

a violation would be placed on the building; that unsafe notice dated June 17, 1940, was subsequently served; that the applicant informed the chief inspector of the Building Department that the building would be demolished if permit could be secured to park motor vehicles; that in accordance with the instructions received from the inspector application was filed on June 22, 1940, and said application was not acted on at once; that subsequently on June 28, 1940, the building zone resolution was amended to prohibit the parking and storage within 200 ft. of a library; that the application was filed for the use and the building demolished prior to such amendment of the building zone resolution; that it is proposed to occupy this space in conjunction with the parking space located on 41st street to the rear; that a lease has been prepared covering the proposed occupancy; and

WHEREAS, in the opinion of the Board, the application for a certificate of occupancy, if acted upon promptly after filing on June 22, 1940, would have been regularly issued prior to the effective date of the amendment to the zoning resolution, namely, June 28, 1940.

Resolved, that the decision of the borough superintendent of buildings, dated July 17, 1940, acting on application for certificate of occupancy, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*.

872-40-A.

APPLICANT—Cafiero and Lacerenza, for Anna Giordano, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—385 Myrtle avenue, north side, 50 ft. east of Clermont avenue (Block No. 2046, Lot No. 94), Borough of Brooklyn.

APPEARANCES—

For Applicant: William A. Lacerenza and Alfredo Giordano.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

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THE RESOLUTION—

(872-40-A)

WHEREAS, Cafiero and Lacerenza, for Anna Giordano, owner, filed August 22, 1940, an appeal from a decision of the borough superintendent of buildings; premises 385 Myrtle avenue, north side, 50 ft. east of Clermont avenue (Block No. 2046, Lot No. 94), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3457-40, dated August 19, 1940, reads:

"3. Request to revoke Certificate of Occupancy 91019/39 denied. Authority to revoke Certificate of Occupancy is vested solely with the Board of Standards and Appeals."

and

WHEREAS, the building is four stories (48 ft.) in height, 25 ft. by 55 ft. in area; of Class 3 construction; located in a business use B area district; erected prior to 1901, and occupied: cellar, storage; first story, store; second story, one family; third story, one family; it is proposed to occupy the building: cellar, storage; first story, store; second story, dwelling, one family; third story, same; fourth story, same; and

WHEREAS, the applicant contends that the purpose of this appeal is for the revocation of Certificate of Occupancy No. 91019-39 and Alteration Permit No. 12813-38 upon which it was issued; to re-establish the status of premises to its original classification of "Old Law Tenement"; that the premises consist of a lot 25 ft. front, 25 ft. 6 in. rear, 98 ft. 8½ in. and 103 ft. 9½ in. deep; that upon the lot there exists a

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four-story non-fireproof building, erected prior to 1901, and occupied: first story, store; second story, one family; third story, one family; fourth story, vacant; that a certificate of occupancy calling for a two-family and store occupancy was procured by the mortgagee, who repossessed the premises and was intended as a temporary expedient and not as a permanent occupancy; that all the old plumbing fixtures remain in place, except those on fourth story, which were disconnected and laid on the floor; that the only other work done was flooring over stairwell opening at ceiling of third story, cutting off access to the fourth story, which proves that the occupancy called for in the certificate of occupancy was intended to be temporary; that the work proposed under Alteration Application No. 3457-40 consists of installing a new fire escape at the rear constructed in accordance with section 145, Multiple Dwelling Law, installing three new complete bathrooms, one on each of the second, third and fourth stories, resetting disconnected kitchen fixtures on the fourth story, removing obstruction over stairwell at third story ceiling, rearranging some partitions, and do all the necessary fire-retarding as required by law to reoccupy the building as heretofore; that in view of these facts, it is requested that Certificate of Occupancy No. 91019-39 be revoked so that Plan No. 3457-40 may be acted upon favorably.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3457-40, Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the certificate of occupancy be revoked in order to carry out the intention of the owner under such alteration application, to restore the building formerly a tenement to a tenement in full compliance with the requirements therefor as set forth in article 7 of the Multiple Dwelling Law.

918-40-A.

APPLICANT—Aerocrete Corporation of America, for 530 Park Avenue, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—530 Park avenue, southwest corner of East 61st street (Block No. 1375, Lot Nos. 37 to 41½, inclusive, and parts of Lot Nos. 32, 32½, 33 and 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Denning Miller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(918-40-A)

WHEREAS, Aerocrete Corporation of America, for 530 Park Avenue, Incorporated, owner, filed September 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 530 Park avenue, southwest corner of East 61st street (Block No. 1375, Lot Nos. 37 to 41½, inclusive, and parts of Lot Nos. 32, 32½, 33 and 36), Borough of Manhattan; and

WHEREAS, an amendment was filed to New Building Application No. 26-40 on September 5, 1940, dated September 5, 1940, which reads:

"We propose to use Gritcrete Flat Slab Construction in the principal rooms of the above project. This construction was recently tested under the supervision of Columbia University before representatives of the Board of Standards and Appeals of New York City. A description of the construction, together with the test loads

and results, is contained in Columbia University Report No. 2492 of October 9, 1939.

Pending the issuance of a general approval of this type of construction by the Board of Standards and Appeals, we request approval of the construction for *this project only*.

We attach hereto blue print of the typical floor showing the construction together with the spans and loads which will govern this project."

and

WHEREAS, the decision of the borough superintendent of buildings, dated September 16, 1940, reads:

"40. Obtain approval of the Board of Standards and Appeals."

and

WHEREAS, the building will be nineteen stories (178 ft.) in height, 98 ft. 10 in. by 135 ft. in area; of Class 1 construction; equipped with a standpipe system; located in a residence use B area district, and occupied throughout as a multiple dwelling; and

WHEREAS, it is proposed to use Gritcrete Span Construction in this building with panels of dimensions as shown on Application Drawings 326-1 dated August 26, 1940, marked "Received September 18, 1940, Board of Standards and Appeals"; and

WHEREAS, the applicant has filed computations and sustained analysis of the panels which it is proposed to use; and

WHEREAS, the applicant contends that an application is now pending under Cal. No. 962-39-SM for the approval of Aerocrete Long Span Construction, and that permission is requested to use this form of construction in this specific instance based upon report and tests made at Columbia University under Report No. 2492.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 26-40, Objection No. 40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction shall comply with the requirements as set forth in a similar application for a building at 735 Park avenue under Cal. No. 44-40-A, appearing in the Bulletin Vol. 25, No. 5, resolution of January 23, 1940, and on the further condition that the trusses shall be precambered not less than ½ in. as required in the resolution and the report of the committee under Cal. No. 44-40-A, and not sprung, as apparently was done in connection with that particular building at 735 Park avenue.

286-22-A.

APPLICANT—New York and Richmond Gas Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—North side of Willow avenue, 465.24 ft. west of Bay street [Block No. 2841, Lot No. 91 (247)]. Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: D. Kyle, Jr., John Kohout and R. Van Vliet.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(286-22-A)

WHEREAS, this appeal from a decision of the fire commissioner, premises north side of Willow avenue, 465.24 ft. west of Bay street [Block No. 2841, Lot No 91 (247)], Staple-

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ton, Borough of Richmond, was granted by the Board May 2, 1922, on certain conditions, and the owner requested amendment of the resolution as to capacity of the plant.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on May 2, 1922, so that as amended the resolution shall read:

"Resolved, that the decision of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the tank is enclosed with and surrounded by a reinforced concrete dike wall; that a fire foam protective system be installed and such other fire-extinguishing appliances as are required by the rules of the Board of Standards and Appeals; *that the capacity of the plant be not increased except as permitted under resolution adopted by the Board on October 1, 1940, under Cal. No. 815-40-A, and that the use of the oil be confined to gas manufacturing process.*"

43-40-A.

APPLICANT—Louis Allen Abramson, for Society of the Hillside Hospital, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block No. 26A, 27A and 34A to 42A, inclusive), Bellerose, Borough of Queens (Hillside Hospital).

APPEARANCES—

For Applicant: Lloyd W. Weed.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(43-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, premises blocks bounded by 263rd street, Long Island Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive), Bellerose, Borough of Queens, was granted by the Board January 30, 1940, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on January 30, 1940, by adding thereto:

"that the terms of this resolution may be deemed to apply in the event that the back-up tile used is load-bearing cinder block in place of hollow clay tile formerly proposed."

VARIATION OF THE LABOR LAW.

892-40-S.

APPLICANT—Michael Marlo, for Frank Costello, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—242 42nd street, south side, 275 ft. east of Second avenue (Block No. 722, Lot No. 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer and Michael Marlo.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(892-40-S)

WHEREAS, Michael Marlo, for Frank Costello, owner, filed September 5, 1940, an application for a variation from the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings; premises 236 42nd street, south side, 275 ft. east of Second avenue (Block No. 722, Lot No. 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4040-40, dated August 27, 1940, reads:

"1. Enlarging factory building—two fireproof exits required as per 270 of Labor Law."

and

WHEREAS, the building is two stories (21 ft. 5 in.) in height, 24 ft. 1 in. by 100 ft. in area at first story, 24 ft. 1 in. by 55 ft. 2 in. in area at second story; of Class 3 construction; located in an unrestricted use B area district; erected in 1905, and occupied since 1938 as follows: first story, manufacturing coil springs, 12 persons; second story, office and storage, 2 persons; the building is equipped with two interior stairs 2 ft. 6 in. wide, both enclosed in fireproof partitions and equipped with fireproof self-closing doors, one of which leads direct to street, with no access to roof; and

WHEREAS, the applicant contends that the original building was erected in 1900; that in 1929 a one-story extension was erected at the rear; that it is proposed to erect a storage room at the rear of the second story; that no manufacturing will be done on the second story; that the building has adequate exits; that the requirements of section 270 of the Labor Law for two fireproof enclosed stairs is incongruous and unnecessary and that the Building Department's interpretation of section 270 has been improperly applied.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings, acting on Alteration Application No. 4040-40, Objection No. 1, and the application be and it hereby is *granted on condition* that the building shall not be further extended in height or area other than as shown on plans filed with this application; that the exit shall be continued as shown; that the work of a factory shall be restricted to the first story only, the second story to be used solely for office and storage in connection with the first story factory occupancy; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct, and that this variance shall continue only so long as the building is occupied as herein set forth and, other than as varied herein, shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL.

426-38-SA.

APPLICANT—American Radiator and Standard Sanitary Corporation, owner.

SUBJECT—Application reopened September 24, 1940—re amendment of resolution to include approval of Arcoflame Oil Burner, Models D and DF, and Arcoflame Heating Units (Boiler-Burner Unit), Models 64 and 65.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

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THE RESOLUTION—

(426-38-SA)

WHEREAS, R. E. Daly, for American Radiator Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Arcoflame Oil Burner; and

WHEREAS, this appliance was approved by vote of the Board July 12, 1938; and

WHEREAS, the Board subsequently amended the resolution to include approval of Models B, C and L; and

WHEREAS, the applicant requested a further amendment of the resolution to include approval of Models D, DF, 64 and 65; and

WHEREAS, this application was reopened September 24, 1940, and the additional models referred to the Committee on Tests for test and report, which report reads as follows:

REPORT OF COMMITTEE ON TESTS.

September 30, 1940.

Re: Cal. No. 426-38-SA.

Subject: Amendment to resolution to include approval of Models D, DF, 64 and 65.

The Board of Standards and Appeals approved the Arcoflame Oil Burner for domestic, commercial and industrial installations with No. 3 oil July 12, 1938. The resolution was amended to include Models B and C July 18, 1939, and further amended to include Model L on April 30, 1940. Request has now been made to include Arcoflame Oil Burner, Models D and DF, and Arcoflame Heating Units (Boiler-Burner Unit), Models 64 and 65.

The Models D and DF Arcoflame Burner operates on the same principles as used on the previous Model C Burner. It is a gun-type, pressure atomizing burner with electric ignition, covering the range from one to two and one-half gallons of oil per hour. It is approved by the Underwriters' for oils not heavier than No. 3.

Pump and motor are mounted on a cast-iron blower housing. The 5½ in. blower wheel is mounted directly on the motor shaft and carries the coupling which drives the pump. The motor operates at 1,750 revolutions per minute. The air supplied to the burner can be adjusted by an air damper at the intake side of the blower and further adjustment is possible by the use of a cup in the turbulator. The air is blown into a steel air tube which terminates into a turbulator with twisting vanes. The center core of this turbulator is filled out by an adjustable metal cup which forces the air to flow through the vanes and obtain a definite direction of spin. This cup can be adjusted to suit the various firing rates.

The transformer is mounted at the side beneath the motor and is of the 10,000 volt, mid-way ground type. It is connected to the electrodes by means of bus bars, which in turn are supported on the oil pipe by means of suitable insulators. Bus bars, oil pipe, electrodes and adjustable cup form a removable inner assembly of the burner.

The burner Model DF has no base but is equipped with a flange suitable for mounting it directly to the base of a boiler.

The burner Model D is identical to DF as described above except that it has a cast iron base, the same as Model C, for floor mounting.

Model 64 is similar to Model D but installed in a boiler unit and No. 65 similar to DF and installed in a boiler unit.

It is recommended that the resolution of the Board of April 30, 1940, be amended to include Models D, DF, 64 and 65 for use with fuel oil not heavier than No. 3, U. S.

Department of Commerce Standards, under the conditions set forth in the resolution.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution to include approval of Models D, DF, 64 and 65.

Resolved, that the resolution adopted by the Board on July 12, 1938, as last amended April 30, 1940, be amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Arcoflame Oil Burner, Models B, C, L, D, DF, 64 and 65, for domestic, commercial and industrial installation, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, on condition that there shall be permanently attached to each burner installed a label reading:

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 426-38-SA."

MATERIAL SUBMITTED FOR APPROVAL.

490-40-SM.

APPLICANT—A. A. Allen, for The Peelle Company,
owner.

SUBJECT—Peelle Flush Counterbalanced Door, approval
of.

APPEARANCES—

For Applicant: A. W. Croker.

ACTION OF BOARD—Material approved in accordance
with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(490-40-SM)

WHEREAS, The Peelle Company, owner, filed May 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Peelle Counterbalanced Elevator Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 30, 1940.

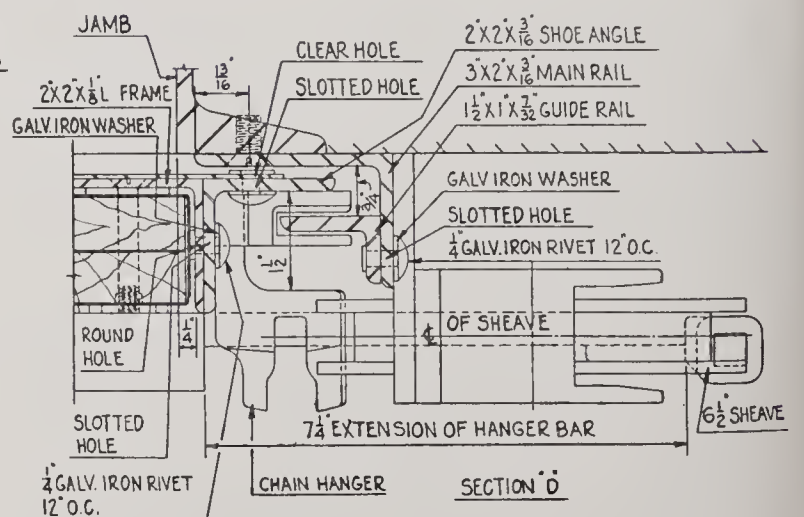
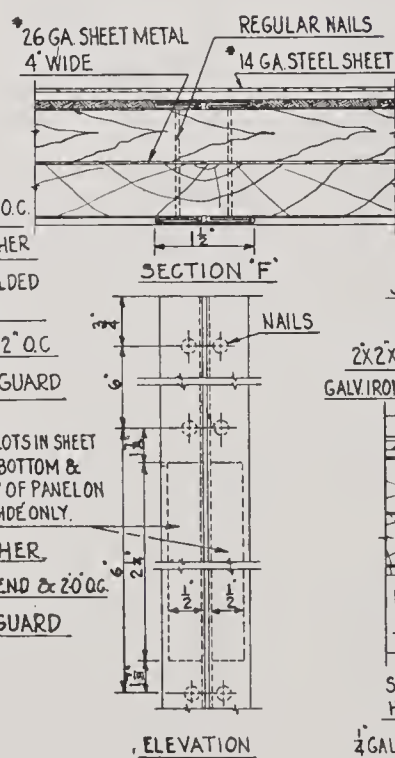
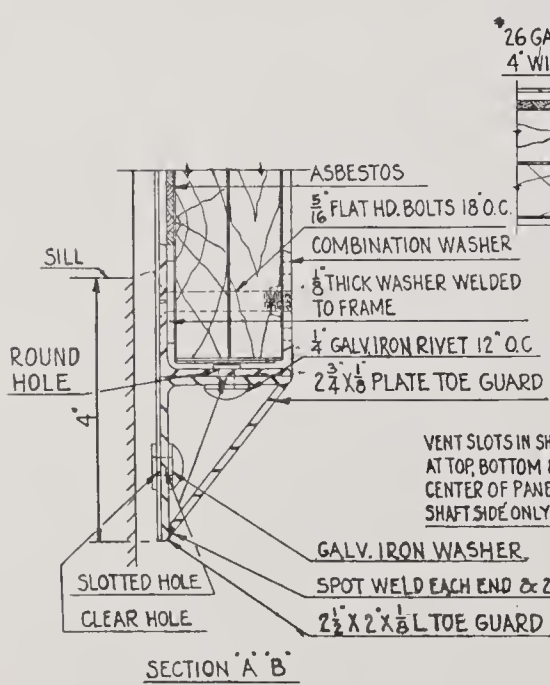
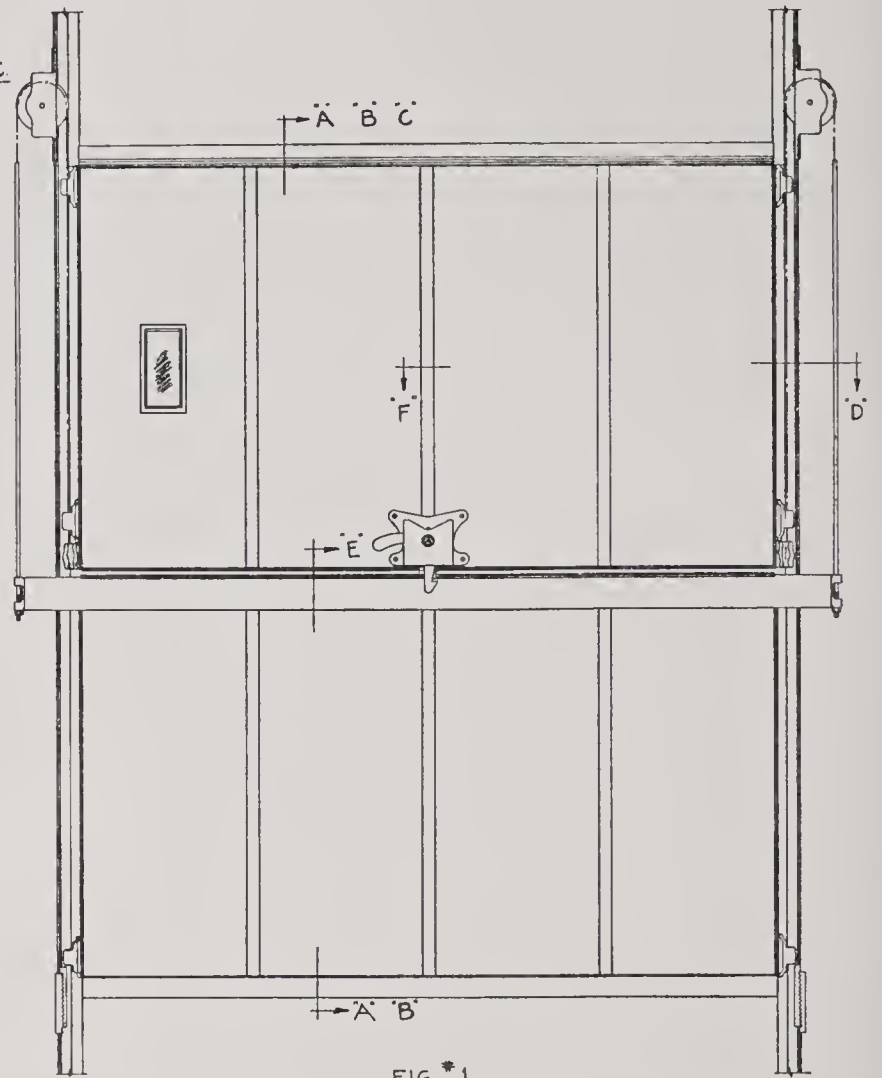
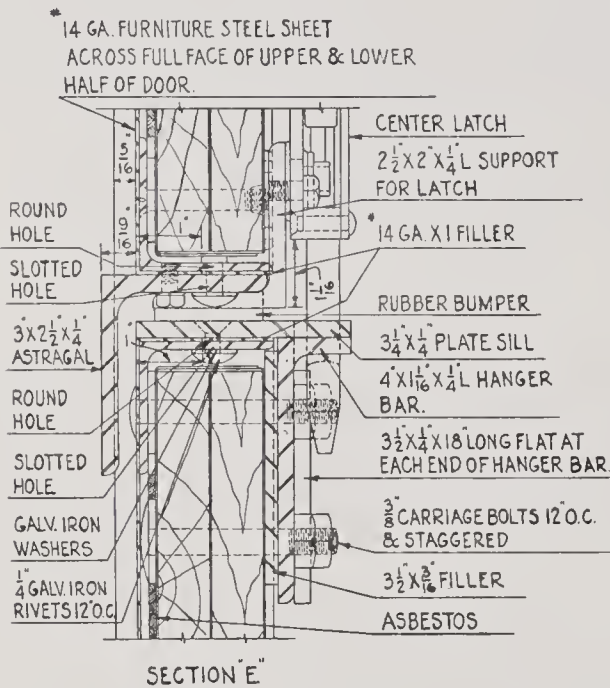
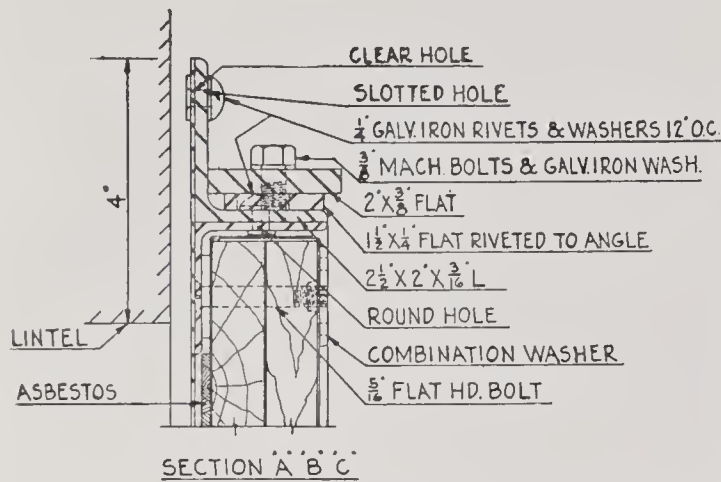
Re: Cal. No. 490-40-SM.

Subject: Peelle Counterbalanced Elevator Door, approval of.

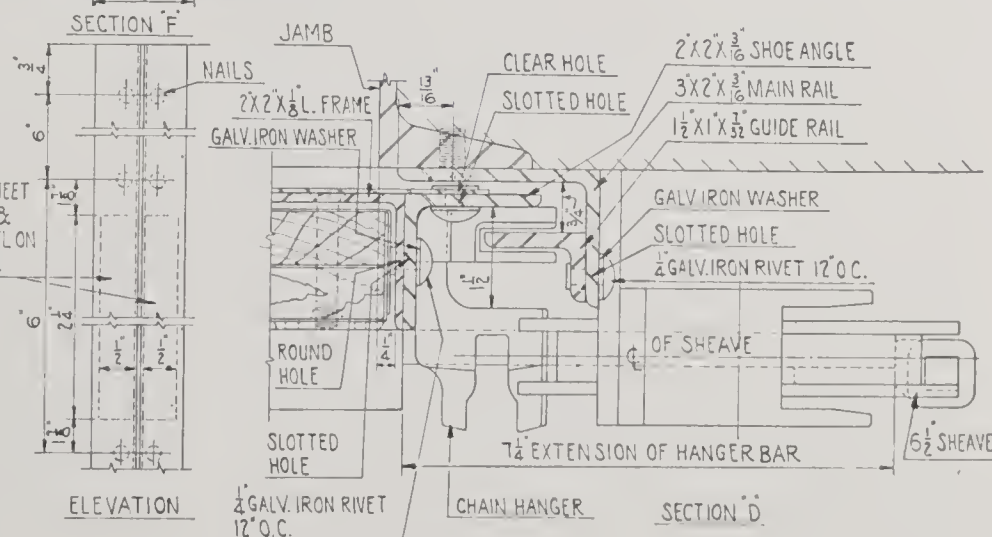
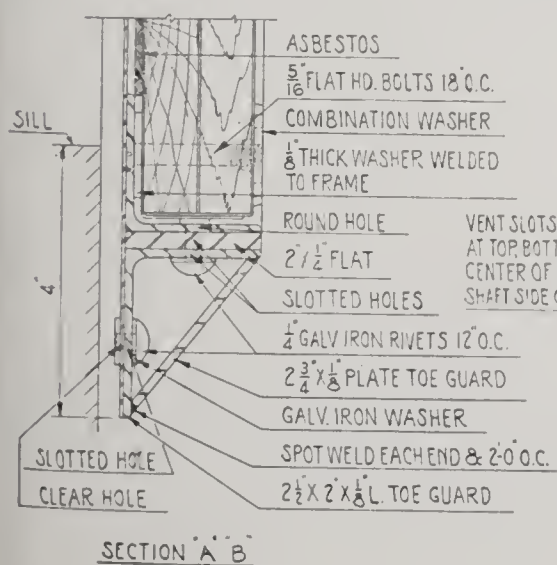
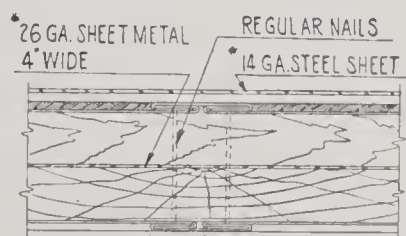
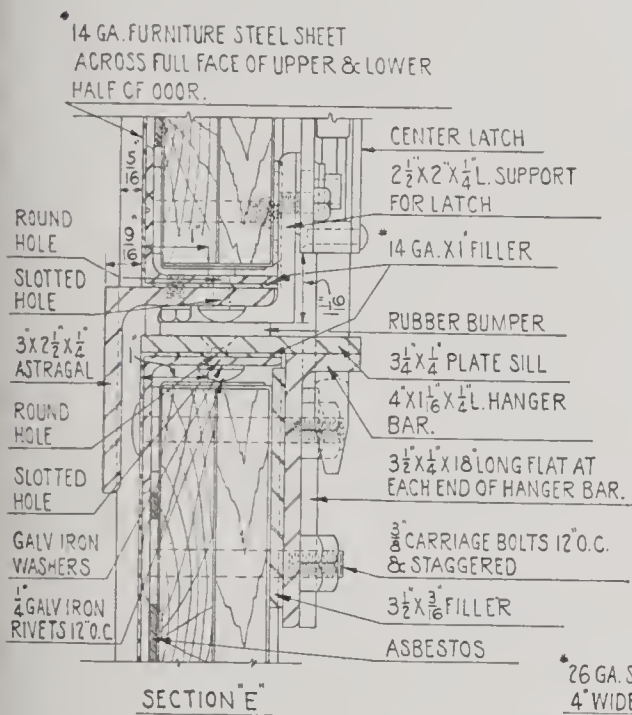
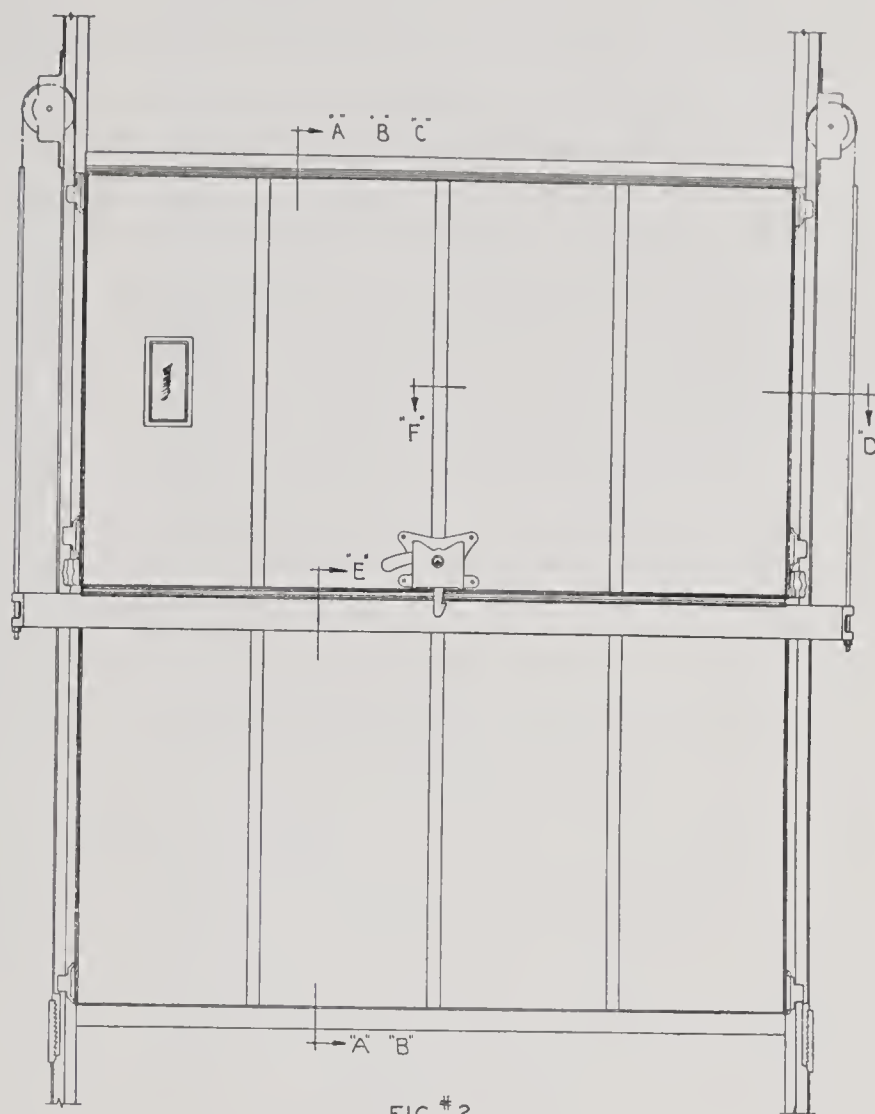
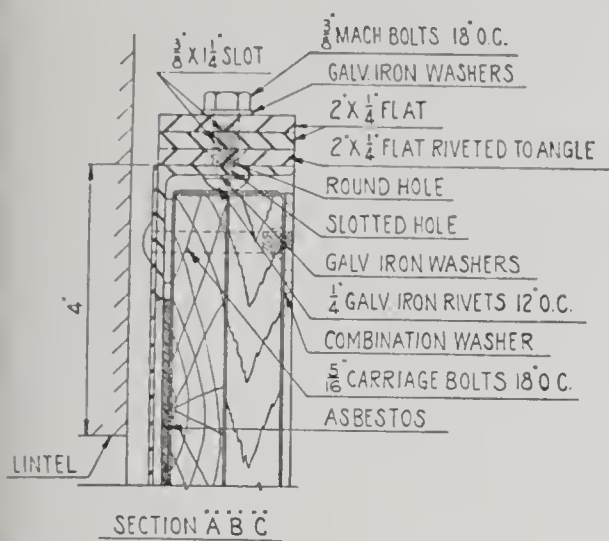
The Peelle Company, 47 Stewart Avenue, Brooklyn, New York, filed on May 8, 1940, an application with the Board of Standards and Appeals for approval of the Peelle Counterbalanced Elevator Door under the requirements of Section C26-610.0 (10.1.18), Sec. C26-663.0-b (10.8.4.2), Administrative Building Code.

The test door, Figure 1, was constructed and inspected by the Underwriters' Laboratories, Incorporated, at the plant of the applicant in Brooklyn, New York, and was

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designed for the protection of an opening 6 ft. in width and 8 ft. in height. The doors are manually operated from the shaft side by a handle in combination with a latch which holds it in the closed position. The door panels were constructed of two-ply, cross laminated white pine 25/32 in. thick, nailed together with steel clinched nails and covered with 26 gauge galvanized steel sheets with a maximum spacing of 24 in. between the interlocking seams. The sheets were overlapped around the edge of the door with the *loft side sheets overlapping the shaft side* in order to vent the gases into the shaft during the fire. The galvanized sheet coverings were provided with holes 1/2 in. x 2 1/2 in. located under the interlocking seam covers and distributed over the surface of the panel to provide uniform venting. Where the door is to be used on a push button controlled elevator the door panel may also be provided with a 5 in. x 9 in. wire glass vision panel bound in steel or malleable iron frame. The frames were made of 2 in. x 2 in. x 1/8 in. steel angles formed to fit the wood-metal covered panels by means of mitering and bolting the same to the panels by means of 5/16 in. flathead machine screws, 18 in. o.c. and secured by combination nuts and washers. To the sides of the frames, angle iron shoe bars and malleable iron guide shoes were attached by means of slotted holes not more than 12 in. o.c. To the bottom half of the lower panel was riveted a 2 1/2 in. x 2 in. angle (rivets 12 in. o.c. maximum) across which was welded a 2 3/4 in. flat. Across the upper half of the bottom panel was bolted an angle iron hanger bar which extended a distance of 7 in. beyond each side of the panel and suspended the door as it rested on the rail stop flush with the floor (the door being open). It also served as an attachment for the counterbalancing rod and chain to which the upper half of the door was attached. A slot in the center of this hanger bar acted as a keeper for the center latch mounted on the upper door. Across the lower half of the upper panel was attached a 3 in. x 2 1/2 in. x 1/4 in. angle to act as an astragal closure across the center of the door when in a closed position. At the center of the panel on the elevator side was mounted a center latch. After the wood-metal covered panel was bolted in the angle iron frame, the loft side of the panel was covered with 1/16 in. asbestos sheets and a 1/16 in. steel sheet was riveted on top of the angle iron frame by means of 1/4 in. rivets, not exceeding 12 in. o.c. and through slotted holes in the shoe bar angle. The supporting guide rails were made of continuous steel angles 3 in. x 2 in. x 3/16 in. running from center of opening to center of opening and attached to the iron opening frame with 3/8 in. machine screws, not more than 18 in. o.c., through 1 in. slots in the main guide rail. The guide rails for the guide shoes were continuous steel angles 1 in. x 1 1/2 in. x 7/32 in. riveted to the main rail through slotted holes not exceeding 12 in. o.c. At the sill an attached malleable adjustable casting acted as a floor stop and near the lintel a malleable iron bracket was securely riveted to the main rail to which was attached a 6 1/2 in. ball bearing sheave, one on each side of the opening. The door was held in position and operated on a length of No. 6 cable chain, one on each side of the door attached to a malleable iron chain hanger on the bottom corner of the upper half of the door. These chains, in operation, ride over the ball bearing sheaves mounted on the main rails and attached to a 1/2 in. square steel rod, which is slotted to receive the chain at the top and is threaded with a 4 in. running thread at the bottom, where it permits proper adjustments of the height of the door. All doors are evenly counterbalanced and provision is made on the top of the top panel to allow for the application of flat iron weights of varying thicknesses, to properly counterbalance the door. Attachments were galvanized and slotted holes allowed for expansion.

Tests of the above described door were conducted at the Underwriters' Laboratories, Incorporated, in Chicago, Illinois, in accordance with the requirements of Sec. C26-610.0 (10.1.18), Administrative Building Code, titled "Fire Tests of Opening Protective Assemblies", in the presence of Commissioners Bernard A. Savage and Charles M. Blum and Chief Engineer Leslie V. Huber on May 24, 1940. The fire test was in conformity with the standard time temperature curve and was maintained within the 5 per cent. area tolerance for the one and one-half hour period. The average rise in temperature at the end of three-quarters of an hour was 114 degrees Fahrenheit on the unexposed side. At the end of seventeen minutes flickers of flame appeared at the top of the upper panel, increased slightly at twenty-five minutes and disappeared at thirty-five minutes. This flame was due to the furnace control which had a tendency to fluctuate due to the accelerating effects of large volumes of wood gas from the vents on the fire side of the sample. There was no apparent flame passage along the other edges of the door assembly. The lower edge of the door bulged slightly toward the fire during the first five minutes of the test, increasing gradually as the test progressed, assuming a maximum of about 1 1/2 in. during the fire test. The upper edge of the door section bulged about 2 in. toward the fire during the fire test. The door withstood the hose stream test without any change in structural stability.

On the basis of this test meeting the requirements of C26-610.0 (10.1.18), Administrative Building Code, the Committee recommends the approval of the Peelle Counterbalanced Elevator Door as having met the requirements for a rating of one and one-half hours for use as a protection of openings in elevator shafts under Section C26-663.0 (b) (10.8.4.2) when constructed in accordance with the sizes and specifications set forth herein with the following changes:

To reduce the bulging of the upper and lower edges of the door toward the fire; the top edge is to be constructed as shown in Figure 2 instead of the construction as tested.

The applied metal covering on the corridor side of the door is to be attached along the top and bottom of the door as shown in Figure 2 instead of the arrangement as tested.

All counterweights are to be applied flat along the top of the door, secured in position by bolts through slotted holes, provided with heavily galvanized washers.

Larger sizes of this opening protective assembly may be permitted in accordance with the permissive provisions of C26-610.0 (10.1.18), Administrative Building Code.

It is further recommended that all opening protective assemblies manufactured, inspected and labeled under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Peelle Counterbalanced Elevator Door, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 4:25 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on July 16, 1940, as they appeared in Bulletin No. 30, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(756-40-A)

WHEREAS, A. Harry Boris, for Brooklyn and Queens Holding Corporation, owner, filed July 9, 1940, an appeal from a decision of the borough superintendent of buildings; premises 58-57 186th street, east side, 560 ft. south of 58th avenue (Block No. 5690, Lot No. 36), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4512-40, dated July 1, 1940, reads:

"The erection of a frame building in the Fire Limits is contrary to the Building Code (Sec. 4.1.2)." and

WHEREAS, the premises consist of a plot fronting 15 ft. on 186th street, 45 ft. on North Hempstead turnpike and 100 ft. along the north lot line, and located in a business use D area district; it is proposed to erect a two-story frame one-family dwelling and garage, 41 ft. by 22 ft. in area; the building will be set back not less than 10 ft. from the building lines of North Hempstead turnpike and World's Fair boulevard, into which setback front entrance and steps will project

for approximately 7 ft.; the building will be set back 39 ft. from the 186th street building line and will have a 5 ft. wide yard on the north lot line and a 20 ft. yard on the east lot line; the building will be surfaced on the exterior of the first story with brick veneer and the roof will be surfaced with approved asphalt shingles; and

WHEREAS, the applicant contends that similar buildings have been constructed by these and other owners in the immediate vicinity and that the construction of brick buildings would be inadvisable in this market.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4512-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed, restricted to single family occupancy; that the garage erected on the plot shall be used solely as an accessory thereto; that chimney breasts may extend not over 2 ft. into the side yard; that in all other respects the construction shall comply with the requirements of the Building Code for a similar building when erected outside the fire limits; that the gable of the garage facing the lot line shall be protected with incombustible materials.

* Correction—The words "that the requirements of the E area district shall be complied with, except" are deleted in lines 37 and 38 of the resolution.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3-1/3), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) Public Buildings. Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) Residence Buildings. Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) Commercial Buildings. Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	\$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.

Refrigerating Systems

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
C19- 99.0.	Refrigerating machinery rooms and ventilation.
C19-100.0.	Open flames and electrical equipment.
C19-101.0.	Testing.
C19-102.0.	Piping.
C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

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1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFCl_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11; F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One 1/2 inch
30 to 60 "	One 3/4 "
60 to 100 "	One 1 "
100 to 175 "	One 1 1/4 inches
175 to 250 "	One 1 1/2 "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

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600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-flammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (1/4") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a 3/4-inch pipe; five heads on a 1-inch pipe; six heads on a 1 1/4-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1 High Pressure Side.	Col. 2 Low Pressure Side	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

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emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

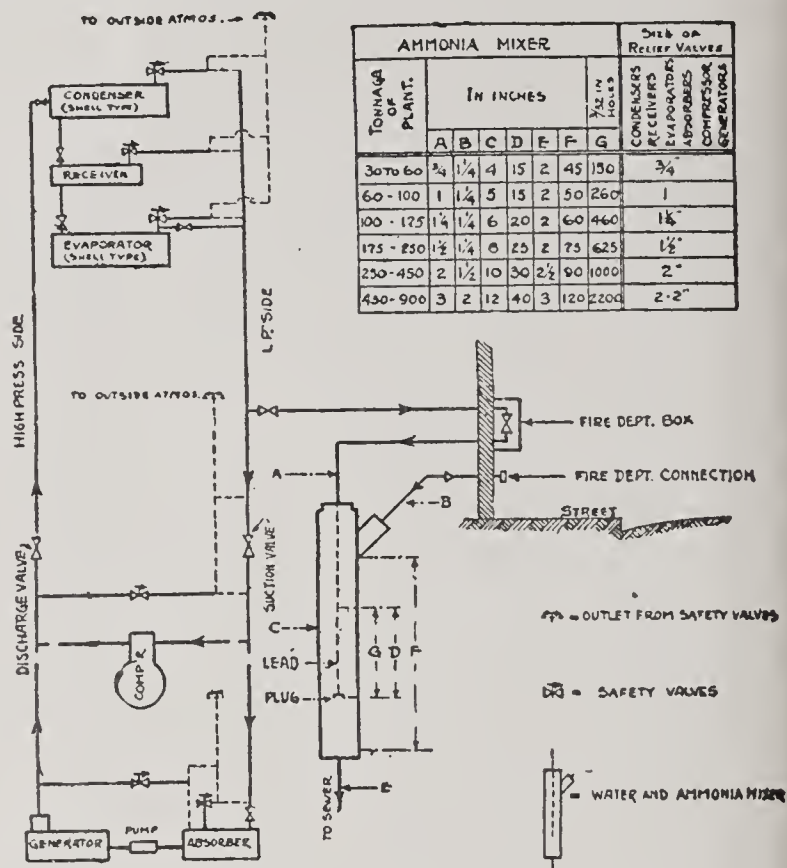
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

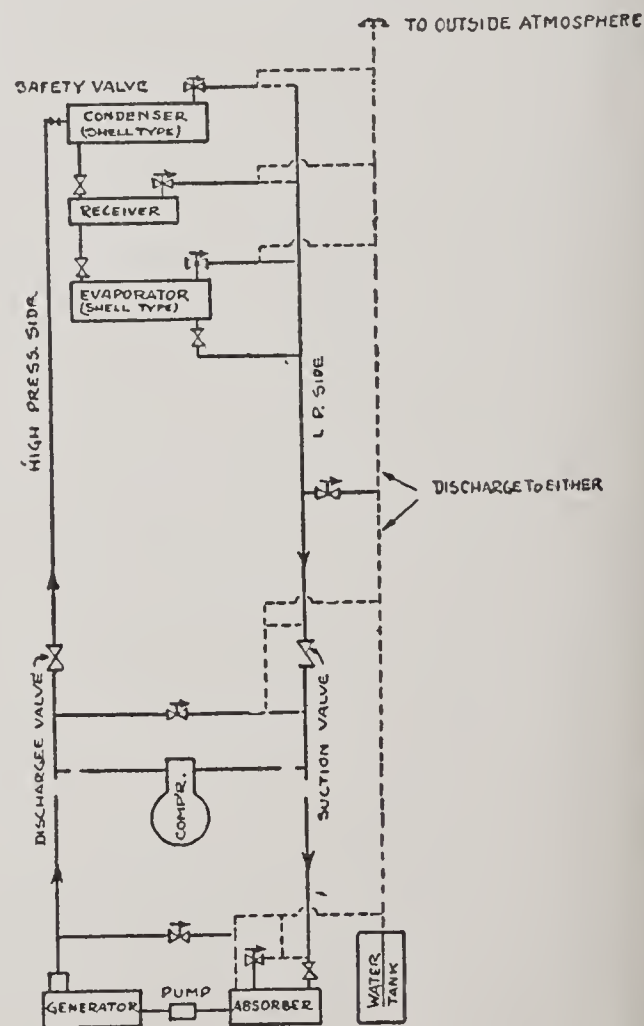
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'A' EQUIPMENT SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'B' EQUIPMENT SECTION C19-107.0

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system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

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RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.
EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

- A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
 2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
 3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.
- B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
1. Liquefier Serial Number.
 2. Original number of cylinder used for conversion.
 3. Original ownership initials of cylinders used for conversion.
 4. Original I. C. C. marking of cylinder used for conversion.
 5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
 6. Test pressure applied to cylinder before conversion.
 7. Total expansion obtained on cylinder before conversion.
 8. Permanent expansion obtained on cylinder before conversion.
 9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I.C.C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H. and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container
t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
- C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
- D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
- E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
- F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
- G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
- H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New Liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

S

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions:

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen	6 1/8 in. x 7 1/8 in.
200 ft. oxygen	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen	5/8 in.
200 ft. oxygen	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

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Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs. per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. not in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than 3/4 in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.

- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5 1/2 in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8 1/2 in. in diameter by 51 in. long and large. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged in portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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OCTOBER 15, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 15, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 255-40-BZ—Application, March 7, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Benlem Realty Corporation, owner, to permit in a business use district the erection and main-

tenance of a gasoline service station; premises 81-01 to 81-11 Rockaway boulevard, 94-01 to 94-07 81st street, northeast corner, and 81-02 to 81-10 Atlantic avenue, southeast corner of 81st street (Block No. 9009, Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 855-27-BZ—Application of Shell Oil Company, Inc., applicant and lessee, on behalf of Anna C. Bingler, owner, reopened for rehearing under new facts December 5, 1939, under section 21 of the building zone resolution, to permit in a business use district, the maintenance and reconstruction of a gasoline service station (previously denied); premises 216-03 Merrick boulevard, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

CAL. NO. 1232-39-BZ—Application, October 5, 1939, under section 21 of the building zone resolution and section 60 of the multiple dwelling law, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district the erection and maintenance of a multiple dwelling law having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

CAL. NO. 1220-39-BZ—Application, October 5, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ansel P. Verity and George Deylen (Johnson and Scharfman, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

CAL. NO. 631-40-BZ—Application, June 12, 1940, under section 7h of the building zone resolution, of J. Jacques Stone, applicant, on behalf of Bowery Savings Bank, owner (345 West 34th Street Parking Corporation, lessee), to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758 Lot No. 16), Borough of Manhattan.

CAL. NO. 1172-39-BZ—Application, September 22, 1939, under section 7h of the building zone resolution, of Catherine Conigliano and Francisco Conigliano, applicants and owners to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1874 McDonald avenue, west side, 98 ft. north

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of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn.

CAL. NO. 950-39-BZ—Application, July 13, 1939, under sections 7f and 21 of the building zone resolution, of James Britton Halley, applicant and lessee, on behalf of Olga Roman and Harriet Britton, owners, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a stated term; premises 3457-3459 Mickle avenue and 3450-3452 Eastchester road, east side, 311 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

CAL. NO. 1490-39-BZ—Application, December 8, 1939, under section 21 of the building zone resolution, of George W. Kibitz, applicant, on behalf of The Actinograph Corporation, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx.

CAL. NO. 38-40-BZ—Application, January 11, 1940, under sections 7h and 21 of the building zone resolution, of Samuel G. Thomson, Jr., applicant and owner, to permit on a plot, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles on that portion of the plot in the business use district; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

CAL. NO. 617-40-BZ—Application, June 10, 1940, under sections 7c and 21 of the building zone resolution, of Murray Klein, applicant, on behalf of Emanuel Levy and Philip Pifko, owners, to permit the erection and maintenance of a one-story business building (store), partly in a business use district and partly in a residence use district; premises 1623-1629 East 17th street, east side, 105 ft. 3¼ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 110-37-BZ—Application of Arnold W. Lederer, applicant, on behalf of Putnam Theatrical Corporation, owner (Joseph Stoy, les-

see), reopened and restored to Calendar September 24, 1940, under sections 7h, 7f and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57 to 59, inclusive, 28 and 29), Borough of Brooklyn.

CAL. NO. 179-37-BZ—Application of Irving M. Fenichel, applicant, on behalf of Louis M. Brann, owner (New Method Service Company, Incorporated, lessee), reopened and restored to Calendar September 24, 1940, under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory use to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board); (previously withdrawn); premises 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

CAL. NO. 529-40-BZ—Application, May 17, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Cliffdodge Estate, Inc., owner, to permit in a business use district, the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

CAL. NO. 207-33-BZ—Application of Samuel J. Ziegler, applicant, on behalf of City Bank Farmers Trust Co., trustee for George McDonald Phillips, owner, reopened and restored to calendar, May 21, 1940, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an automobile showroom, a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 3090-3094 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65 to 67, inclusive), Borough of The Bronx.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use

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district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1940, 2 P. M.

Appeals from Administrative Decisions.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

887-40-A—47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

896-40-A—680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens.

394-40-A—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

935-40-A—211-48 Jamaica avenue, south side, 141.96 ft. west of 212th street (Block No. 10836, Lot No. 55), Queens Village, Borough of Queens.

947-40-A—206-212 West 34th street, south side, 100 ft. west of Seventh avenue (Block No. 783, Lot No. 50), Borough of Manhattan.

987-40-A—215-221 West 82nd street, northeast corner of Broadway (Block No. 1230, Lot No. 14), Borough of Manhattan.

971-40-A—27-09 154th street, east side, 80 ft. south of 27th avenue (Block No. 4850, Lot Nos. 5 and 6), Flushing, Borough of Queens.

980-40-A—5027 Third avenue and 301-311 51st street, north-

east corner (Block No. 790, Lot No. 1), Borough of Brooklyn.

Variation of the Labor Law.

811-40-S—175 Shepherd avenue, east side, 120 ft. south of Fulton street (Block No. 3958, Lot No. 134), Borough of Brooklyn.

OCTOBER 22, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 22, 1940, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William J. Hamilton, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 431-40-BZ—Application, April 24, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of George L. Lawson and Estate of William W. Lawrence (J. Y. Brown, A. A. Gulick and C. P. Williamson, trustees), owners (Kesbec, Incorporated, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 317-325 West 59th street, north side, 186 ft. west of Columbus Circle (Block No. 1112, Lot Nos. 15, 115, 16 and 17), Borough of Manhattan.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term

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of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 605-40-BZ—Application, June 6, 1940, under sections 7c and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of City of New York and Brick's Service Stations, Incorporated, owners, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

CAL. NO. 332-40-BZ—Application, April 2, 1940, under section 21 of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Harry Bram, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2747-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

CAL. NO. 633-40-BZ—Application, June 12, 1940, under sections 7f, 7i and 21 of the building zone resolution, of A. Paul Loshen, applicant, on behalf of Minnie Weinstein, owner, to permit in a business use district the erection and maintenance of a gasoline service station and motor vehicle repair shop; premises 195-05 Linden boulevard, northeast corner of 195th

street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens.

CAL. NO. 88-36-BZ—Application of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner, reopened May 28, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles; premises 3170-3178 Broadway and 28-34 Tiemann place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.

CAL. NO. 928-40-BZ—Application, September 23, 1940, under section 7a of the building zone resolution, of The Finkel Umbrella Frame Company, Incorporated, applicant and owner, to permit in a residence use district, on a plot partly in a residence use district and partly in a business use district, the extension of an existing factory building; premises 890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx.

CAL. NO. 748-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an administration building for use in connection with a sewage disposal plant; premises southwest end of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 749-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a pumping station to be used in connection with a sewage disposal plant; premises southeast part of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

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CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

Appeal from Administrative Decision.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 2 P. M.

Appeals from Administrative Decisions.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

910-40-A—135-60 108th street, west side, between Peconic street and 135th avenue and in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block), Aqueduct, Borough of Queens (Aqueduct Race Track); (under section 35, General City Law, re Bed of Mapped Street).

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 22, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 919-40-BZ—Application, September 17, 1940, under section 7j of the building zone resolution, of George A. Boehm, applicant, on behalf of Victor Moore and Broadway-75th Street Corporation, owners, to permit in a business use district the erection of a business building to be occupied in part as a bus station; premises 74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

CAL. NO. 953-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Electus D. Litchfield, applicant, on behalf of Fairchild Aviation Corporation, owner, to permit the erection of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district; premises 134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck

boulevard, and 88-06 Van Wyck boulevard (Block No. 9342, (236), Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 29, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 29, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47), Borough of Brooklyn.

CAL. NO. 1289-39-BZ—Application, October 17, 1939, under sections 21 and 7h of the building zone

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resolution, of Charles Gomes, applicant and lessee, on behalf of Port of New York Authority, owner, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

CAL. NO. 124-36-BZ—Application of J. Jacques Stone, applicant, on behalf of Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee), reopened and restored to Calendar September 17, 1940, under section 7h of the building zone resolution, to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 347-40-BZ—Application of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank, owner, reopened September 10, 1940, under sections 7h and 21 of the building zone resolution, to permit in a business use district the maintenance, on a portion of the premises, for the parking and storage of more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 991-40-BZ—Application, October 11, 1940, under section 7a of the building zone resolution, of Herbert S. Thomson, applicant, on behalf of Unexcelled Manufacturing Company, owner, to permit in a residence use district the erection of three (3) business buildings to be used in conjunction with an existing plant for the manufacture of pyrotechnics; premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Buildings A, B and C); (Block No. 1660, Lot No. 1), Graniteville, Borough of Richmond.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 544-40-BZ—Application, May 20, 1940, under sections 21 and 7c of the building zone resolution, of Morris Perlstein, applicant, on behalf of Coney Island Soda Water Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

CAL. NO. 471-40-BZ—Application, May 6, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

Appeals from Administrative Decisions.

CAL. NO. 917-40-A-MD—Application, September 16, 1940, under section 60 of the Multiple Dwelling Law, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

623-40-A—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

OCTOBER 29, 1940, 2 P. M.

Appeals from Administrative Decisions.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

NOVEMBER 6, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 372-29-BZ—Application of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, reopened April 9, 1940, under section 21 of the building zone resolution, to permit the further extension into a residence use district of a business building (stores) previously granted by the Board; premises 2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company, owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than

CAL. NO. 494-40-BZ—Application, May 8, 1940, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Johanna C. Funke, owner, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation, owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

CAL. NO. 860-40-BZ—Application, August 16, 1940, under sections 21 and 7f of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Fairtown Construction Corporation, owner, to permit in a business use, "D" and "E" area district the erection of a business building covering a greater area of that portion of the plot within the "E" area district than permitted, to permit the omission of the required setback within the "E" area district and to use a portion of the building as a garage for more than five (5) motor vehicles; premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens.

Appeal from Administrative Decision.

982-40-A—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens (under sec-

CALENDAR

tion 35, General City Law—re Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 6, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 6, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 13, 1940, 2 P. M.

Appeal from Administrative Decision.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west

of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jerome Avenue Corporation, owner, reopened October 8, 1940, for consideration as to extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, OCTOBER 8, 1940.

Present: Chairman Murdock, Commissioners Savage and Lum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, September 24, 1940, and the regular meeting of the Board held on Tuesday afternoon, September 24, 1940, were approved as printed in Bulletin No. 40, Volume 25.

BUILDING ZONE CASES.

78-40-BZ.

APPLICANT—Lama and Proskauer, for Ozark Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business

use district the alteration and extension of an existing gasoline service station.

PREMISES AFFECTED—1716-1726 Utica avenue, southwest corner of Avenue I (Block No. 7775, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Louis I. Sieven.

For Opposition: Herman Levine, Dr. Rosner, Harry Dorshkin and C. Maresca.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., for applicant to file additional plans.

223-16-BZ.

APPLICANT—Lama and I skauer, for Malbone Garage, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings) under section 21 of the build-

MINUTES

ing zone resolution, to permit in a business use district the change of occupancy of garage for more than five (5) motor vehicles (previously granted by the Board) to garage for more than five (5) motor vehicles, gasoline service station, lubricatorium and office.

PREMISES AFFECTED—172-186 Empire boulevard, south side, 190 ft. east of Bedford avenue (Block No. 1314, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

97-37-BZ.

APPLICANT—Theodore R. Feinberg, for Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee).

SUBJECT—Application for consideration—reopening and rehearing on new facts (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted on condition by Board; Court referred matter back to Board. Reopened by Board and resolution of December 14, 1937, granting application rescinded).

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

729-38-BZ.

APPLICANT—Lama and Proskauer, for Talbo Gasoline Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and reconsideration (re decision of the borough superintendent of buildings), under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously denied).

PREMISES AFFECTED—3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Bogart.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

1515-39-BZ.

APPLICANT—Clinton C. Tyrrell, for Rockaway Point Development Corporation, owner (Rockaway Operating Company, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station and motor vehicle repair shop.

PREMISES AFFECTED—105 Rockaway Breezy boulevard, north side, 400 ft. east of Reid avenue (Block No. 900, Lot No. 1), Rockaway Point, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

335-40-BZ.

APPLICANT—Samuels and Samuels, for Long Island Sound Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7f of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Ernest W. Bruner.

For Opposition: George J. Poynton.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(335-40-BZ)

WHEREAS, Samuels and Samuels, for Long Island Sound Realty Company, owner, filed April 3, 1940, an application under sections 21 and 7f of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station; premises 246-09 to 246-19 Northern boulevard and 43-70 to 43-80 247th street, northwest corner (Block No. 8112, Lot No. 25), Little Neck, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 8, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 247th street and 245th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 818-40, dated February 20, 1940, reads:

"1. The erection of a gasoline service station and accessory building on a plot located partly in a residence and partly in a business district is contrary to the Zone Resolution. (Art. 2, Sec. 3 and 4 B.Z.R.). Application denied."

and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 129 ft. on Northern boulevard 119 ft. on 247th street and a distance of 157 ft. along the

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west lot line; an irregular shaped area at the northerly portion of the plot is located in a residence use district and the remainder is located in a business use district; it is proposed to erect upon the plot a one-story structure, 52 ft. by 27 ft., regular in area, to be used as office, lubritorium and auto laundry and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that there was no justification for the exercise of the Board's discretion to grant under section 7 of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 818-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

60-40-BZ.

APPLICANT—Henry Nordheim, for Marion Ward, owner (Arthur C. Bergen, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, automobile showroom and motor vehicle repair shop.

PREMISES AFFECTED—430-432 East 188th street, south side, 100.48 ft. east of Park avenue, and 451-453 Cyrus place (Block No. 3041, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Arthur C. Bergen.

For Opposition: G. Hebe Urbanski.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(560-40-BZ)

WHEREAS, Henry Nordheim, for Marion Ward, owner, filed May 24, 1940, an application under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, automobile showroom and motor vehicle repair shop; premises 430-432 East 188th street, south side, 100.48 ft. east of Park avenue, and 451-453 Cyrus place (Block No. 3041, Lot No. 37), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 8, 1940, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 188th street and Cyrus place are in business and unrestricted use districts; Third avenue is in an unrestricted district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 126-28, dated May 1, 1940, reads:

"Please be advised that your application for a Certificate of Occupancy for the use of above premises as a non-storage garage for more than five (5) cars, automobile showroom and motor vehicle repair shop, is hereby denied, as the premises is located in a business district, where use for the storage of more than five

(5) motor vehicles, and a motor vehicle repair shop, is contrary to section 4 of the Building Zone Resolution, Violation No. 1263-40 is pending."

and

WHEREAS, the premises consist of a plot of ground 36.53 ft. by 98.28 ft. in area, on which is located a one-story non-fireproof building, occupied as an electric-plating factory; it is proposed to convert the occupancy to an auto showroom, motor vehicle repair shop and garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension of the proposed use into the business area, as indicated on plans filed herewith, *on condition* that the motor vehicle repairing shall be restricted to the portion as indicated and shall be of a type requiring the use of hand tools only; that no repairing shall be done other than on cars owned or taken in trade by this agency; that the storage in the basement and cellar shall be solely of cars owned or taken in trade by this agency; that this variation shall continue only so long as the premises are not increased in height or area and are occupied as herein permitted; that all permits required shall be obtained and all work involved completed within six (6) months from the date of this action.

591-40-BZ.

APPLICANT—Samuels and Samuels for Edward Sperry, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—168-02 to 168-08 Liberty avenue and 103-01 to 103-03 Merrick boulevard, southeast corner (Block No. 10221, Lot No. 7), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Nora L. Heller and P. Triparidi.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum and Assistant Chief McCarthy	3
Negative: Chairman Murdock	1

THE VOTE TO RECONSIDER TO IMPOSE CONDITIONS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Commissioners Savage and Blum and Assistant Chief McCarthy	3
Negative: Chairman Murdock	1

THE RESOLUTION—

(591-40-BZ)

WHEREAS, Samuels and Samuels, for Edward Sperry, owner, filed June 3, 1940, an application under sections 7f and 21 of the building zone resolution, to permit in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 168-02 to 168-08 Liberty avenue and 103-01 to 103-03 Merrick boulevard, southeast corner (Block No. 10221, Lot No. 7), Jamaica, Borough of Queens; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 8, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick boulevard is in an unrestricted district; Liberty avenue is in a business and unrestricted use district; 168th place (100 ft. south of Liberty avenue) is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 2467, dated June 3, 1940, reads:

"1. The erection of a building for the occupancy of a gasoline service station and accessory building in a plot zoned for business and residence is contrary to the Zone Law (Art. II, Sec. 3 and 4, B.Z.R.)."

and

WHEREAS, the premises consist of a plot of ground 181 ft. by 104 ft. in area, on which there is located two two-story frame dwellings, which are to be demolished, and the plot occupied for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7f thereof, for a term of five (5) years from the date of this resolution, to permit the premises to be occupied as a gasoline service station, *on condition* that all buildings and uses on the plot shall be demolished and removed; that the plot shall be leveled substantially to the grade of Liberty avenue; that there shall be erected on the interior lot lines continuously a brick wall not less than 7 ft. in height, faced with face brick on both sides; that such wall may be reduced to a height of 4 ft. within a distance of 7 ft. from the street building lines; that the accessory building shall be located toward the rear corner of the plot and shall be designed and constructed substantially as indicated on plans filed herewith; that the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood; that the roof shall be surfaced with approved slate shingles; that no openings shall be constructed in lot line walls opening upon adjoining premises; that no closure doors shall be installed in the section used for greasing and laundry, unless the greasing racks are of the hydraulic type or unless any pits installed are ventilated from the pit through and above the roof with a fan of the spark-proof type; that planting areas shall be installed and maintained substantially as indicated; that such planting areas shall be protected with concrete curbs not less than 6 in. in height and 6 in. in width; that any pumps erected shall be not nearer than 15 ft. to the street building line; that the pumps shall be of the type approved by the Park Department; that the entire plot where not occupied by accessory building, walls, planting areas and pumps shall be cement-paved or surfaced with Colprovia or other similar impervious material; that no bluestone areas shall be permitted; that signs shall be restricted to permanent signs attached to the accessory building, excluding all temporary and roof signs, but permitting the erection within the building lines of two post standards, one toward the north and one toward the south, each supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale; that entrances to the property shall be restricted to four, with curb cut opposite, each not exceeding 30 ft. in width, and no part of any curb cut nearer the side lot lines as produced than 5 ft.; that no automobile repairing shall be done on the premises; that there shall be no parking of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that complete working plans shall be sub-

mitted prior to filing with the borough superintendent of buildings; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

554-40-A.

APPLICANT—Lama and Proskauer, for Margaret DiGioia owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2146 Gerritsen avenue, west side, 280 ft. north of Avenue U (Block No. 7341 Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Abram Schlestein.

For Opposition: Paul Friedman.

ACTION OF BOARD—Laid over to October 22, 1940, at 10 A.M., for Board to be furnished with copy of deed.

914-40-A.

APPLICANT—Getty Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2-6 East 61st street and 79th Fifth avenue, southeast corner (Block No. 1375, Lot No. 67), Borough of Manhattan.

APPEARANCES—

For Applicant: George F. Galland.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

916-40-A.

APPLICANT—Westinghouse Electric Elevator Company for Millard Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42-48 East 67th street, south side, 140 ft. west of Park avenue (Block No. 1381 Lot Nos. 42½ to 45, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Wieser, Jr., and M. Shroder.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(916-40-A)

WHEREAS, Westinghouse Electric Elevator Company, for Millard Realty Corporation, owner, filed September 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 42-48 East 67th street, south side, 140 ft. west of Park avenue (Block No. 1381, Lot Nos. 42½ to 45, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 328-40, dated September 8, 1940, reads:

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"1. The side emergency exits in cars No. 1 and No. 2 must comply with Sect. C of 13.3.3.3.7."

and

WHEREAS, the building will be twelve stories and pent-house (111 ft.) in height, 80 ft. by 80 ft. 5 in. in area; of Class 1 construction; located in a residence use B area district; equipped with a standpipe system, and occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant contends that the elevators are arranged so that the passenger car opens on to one corridor and the service car on to another so as to separate the two classes of traffic; that a wall between the elevators would serve no useful purpose; that it in fact would block a means of egress from the top of one car to the top of the adjacent car which might be useful; that this particular arrangement of elevators was not considered when the Code was written to require side emergency exits; that who wrote the Code had in mind the conventional arrangement of cars, side by side, with openings to the same corridor; that if a wall is omitted, the hoistway entrance for all cars will be equipped with emergency key device and exit doors, as required by Code for cars in separate hatches; that the possibility of passing from the top of one car to the top of another will be an additional means of egress.

Resolved, that the decision of the borough superintendent of buildings, on Application No. 328-40, Objection No. 1, be and it hereby is modified and the appeal be and it hereby is granted on condition that in all other respects the elevators in the building shall meet the requirements of the Building Code for installation in a single shaft.

Adjourned, 12:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, OCTOBER 8, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

91-23-BZ.

APPLICANT—Alfred A. Lama, for Radella, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles (previously granted).

PREMISES AFFECTED—188-238 Empire boulevard, south side, 99 ft. 3 in. west of Rogers avenue (Block No. 1314, Lot Nos. 21 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and James Scileppi.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(891-23-BZ)

WHEREAS, this application from a decision of the borough superintendent of buildings, to permit in a business use district the conversion of occupancy of an existing building to

a garage for more than five (5) motor vehicles, was granted by the Board October 23, 1923, on certain conditions; and

WHEREAS, Alfred A. Lama, for Radella, Incorporated, owner, requested reopening of the application and amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 23, 1923, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the floor area be subdivided, approximately, into three equal parts by fireproof partitions extending to the roof; that any openings be protected with automatic fireproof doors; that the premises be fire-protected in accordance with the rules and regulations of the Board of Standards and Appeals as to standpipe installation.

Resolved further, that in the event the owner desires to eliminate the garage use as herein permitted for a portion of the building with a street frontage of approximately 300 ft., as indicated on plans filed with Alteration Application No. 4229-40, such reversion to a conforming use may be permitted with the balance of the building continuing for garage use, on condition that a complete fire wall separation shall be constructed between the portion occupied for the garage and the portion proposed to be occupied for a roller skating rink and sports arena; that no opening shall exist in such wall connecting one portion of the building to the other; that the building may have a roof of non-fireproof construction, provided the building in all other respects is of fireproof construction; that an amended certificate of occupancy upon completion shall be issued for this amended use; that the portion used for the roller skating rink and sports arena shall comply with all requirements of all laws, rules and regulations applicable thereto, and any existing subdividing wall in such portion may be removed; that the garage portion shall comply with the requirements of the resolution in so far as same apply; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

362-34-BZ.

APPLICANT—Abraham N. Horwitz, for 1230 Jerome Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham L. Horwitz.

ACTION OF BOARD—Application reopened and set for hearing November 19, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

514-24-BZ.

APPLICANT—William Shary, for Denman Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under sections 7a and 7c of

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the building zone resolution, permitting in a business use district the alteration, extension and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—303-315 West 96th street, north side, 100 ft. west of West End avenue (Block No. 1887, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(514-24-BZ)

WHEREAS, J. C. Holman, for Denman Realty Company, owner, filed April 10, 1924, an application under the building zone resolution, to permit in a business district the alteration, extension and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 303-315 West 96th street, north side, 100 ft. west of West End avenue (Block No. 1887, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 10, 1924, on certain conditions, resolution amended April 5, 1938, and October 11, 1938, and the owner requests a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 10, 1924, as amended April 5, 1938, and October 11, 1938, be and it hereby is *further amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the extension shall not exceed in height that of the existing one-story garage; that the rear and side walls of the proposed extension shall be unpierced throughout their entire height and length; that the front elevations shall be finished as to material and design in accordance with the present structure; that there shall be no skylight installed within 30 ft. of the rear wall, and any skylight installed shall be glazed with plain glass, protected above and below with wire guards; that in the event the owner desires to construct two new doorways at the building line and a new curb cut 28 ft. in width, as indicated on plans marked 'Received March 11, 1938,' such openings may be constructed and additional gasoline pumps and tanks may be installed within the building, provided that no portable gasoline tanks shall be used on or from the premises and also that in the event the owner desires to rearrange the first floor, thereby enlarging the gasoline selling area by removal of the chauffeurs' room to a point now occupied as a one-car garage, such alteration may be permitted and a new curb cut not over 11 ft. in width, may be installed, provided the former drop curb toward the easterly building line as extended is restored.

Resolved further, that in the event the owner desires to construct an additional opening, approximately 11 ft. in width, as indicated on plans marked 'Received September 24, 1940,' such additional opening may be permitted and an additional gasoline pump installed, provided in all other respects the requirements of the resolution as amended April 5, 1938, and October 11, 1938, are complied with."

92-36-BZ.

APPLICANT—Consolidated Biological Products, Incorporated, owner.

SUBJECT—Application for consideration—reopening and

amendment—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore Altman, Philip Freshman and David Brown.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(92-36-BZ)

WHEREAS, this application to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 109-131 West 50th street, north side, and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan, was granted by the Board July 14, 1936, on certain conditions resolution amended February 20, 1940, and the owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals hereby *amend* the resolution adopted June 14, 1936, as amended by resolution of February 20, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that the entire plot to be so used, known as Lot 40 as reapportioned, and as indicated on revised plans filed at the hearing of February 20, 1940, shall be arranged substantially as shown thereon, and shall be leveled to the grade of West 51st street, and surfaced with steam cinders, clean gravel or other similar material, properly rolled and bound; that entrances to this plot shall be restricted to one to West 51st street toward the easterly end, not exceeding 40 ft. in width, and one to West 50th street, not exceeding 30 ft. in width with curb cuts opposite of similar width that any other curb cuts along West 50th and West 51st streets now existing shall be restored; that there shall be erected along the street building lines of West 51st street a substantial woven wire fence not less than 6 ft. in height, except for the entrance permitted; that along the interior lot lines where walls of existing buildings do not occur, there shall be erected a similar woven wire fence; that during the term of this permit the plot shall be occupied for no other use than that herein permitted and no buildings shall be erected thereon except that there may be erected a building as an office and shelter for the attendant, provided such building does not exceed 150 sq. ft. in area and one story in height; that no signs shall be erected on the premises, except that there may be erected at each entrance a sign advertising the parking use, such sign not to exceed 15 sq. ft. in area, and not to extend beyond the building line; that any lighting installed shall be on pipe standards with metal reflectors, so arranged as to reflect toward the center of the parking lot; that proper aisles shall be

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maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct."

170-37-BZ.

APPLICANT—Hermine Corlis, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—79-05 Little Neck road, southeast corner of Union Turnpike (Block No. 12, Lot Nos. 4, 5 and 6), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman and H. Corlis.

ACTION OF BOARD—Application reopened and time extended

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(170-37-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, premises 79-05 Little Neck road, southeast corner of Union Turnpike (Block No. 12, Lot Nos. 4, 5 and 6), Floral Park, Borough of Queens, was granted by the Board April 12, 1938, on certain conditions, resolution amended October 11, 1938, and October 3, 1939; and

WHEREAS, Albert Kaufman, for Hermine Corlis, owner, requested an extension of time in which to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 12, 1938, as amended October 11, 1938, and October 3, 1939, only so far as it refers to obtaining permits and the completion of the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

456-37-BZ.

APPLICANT—Fannie Gise, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: J. J. Giese.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(456-37-BZ)

WHEREAS, Wallace F. McLendon, for Fannie Gise, owner, filed September 23, 1937, an application under section 7h of

the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 25, 1938, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 25, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h thereof, for a temporary term of two (2) years from the date of this amended resolution."

537-37-BZ.

APPLICANT—Isidore Beerman, for Schulte Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (re decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street, and 72-16 to 72-30 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of Lot No. 84), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Isidore Beerman, D. Walleit, James J. Cotter and Meyer P. Albert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(537-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles, premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street, and 72-16 to 72-30 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97 and 99 and part of Lot No. 84), Jackson Heights, Borough of Queens, was granted by the Board October 18, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted October 18, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7h, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this amended resolution, on condition that only motor vehicles of the pleasure-car type shall be so stored or parked; that the premises shall be graded substantially to the grade of Roosevelt avenue; that there shall be erected on the interior lot lines and street building lines continuously a substantial woven wire fence not less than six (6) ft. in height; that there shall be not over two openings to the plot on Roosevelt avenue, each not exceeding twenty (20) ft. in width and one entrance on Broadway of similar width; that during the term of

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this variance the plot shall be used for no other purpose and all other existing buildings and existing uses shall be removed therefrom, excepting there may be erected a building not over one story in height, which may be of frame construction and not over 150 sq. ft. in area, used as an office and shelter for the attendant; that the premises shall be surfaced with steam cinders or clean gravel or other suitable material properly rolled and treated with a binder to prevent dusting; that such lights as may be erected for general illumination shall be on post standards with metallic reflectors so arranged as to reflect toward the center of the premises; that no advertising signs shall be erected, except that there may be a sign, not over 15 sq. ft. in area, attached to the fence at each entrance, advertising only the parking and storage use and the rates charged; that at all times there shall be maintained adequate passageways for easy entrance and exit; that such portable fire-fighting appliances shall be installed as the fire commissioner may direct."

1389-39-BZ.

APPLICANT—John F. Meehan, for Dollar Savings Bank of the City of New York, owner (Request for approval of plans made by Allan Bradley Bates, architect).

SUBJECT—Application for consideration — reopening, amendment of resolution and approval of plans—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx.

APPEARANCES—

For Applicant: A. John Eder and Allen B. Bates.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Commissioners Savage and Blum
and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(1389-39-BZ)

WHEREAS, John F. Meehan, for Dollar Savings Bank of the City of New York, owner, filed November 13, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2750 Bailey avenue, southeast corner of Kingsbridge road (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx; and

WHEREAS, this application was granted by the Board February 20, 1940, on certain conditions, and request was made for amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted February 20, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21 thereof, to permit the plot to be occupied as a gasoline service station, on condition that the plot shall be leveled to the grade of the adjoining streets; that the gasoline station shall be arranged substantially as shown on plans marked 'Received October 7, 1940'; that the accessory building shall be toward the easterly side of the plot, as shown, and shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams and roof

boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals and that the roof is surfaced with approved non-inflammable material; that no pumps shall be erected nearer than 15 ft. to either street building line; that curb cut entrances to the premises shall consist of not over one (1) from West Kingsbridge road, not over 30 ft. in width, and two (2) from Bailey avenue, not over 35 ft. in width each; that there shall be erected on the interior lot lines a masonry wall, not less than 6 ft. in height, continuously from West Kingsbridge road to Bailey avenue, except that it may be 4 ft. in height within 10 ft. of each street; that such wall shall be faced with face brick on each side and shall be kept unpainted; that the entire plot where not covered by accessory buildings, walls and planting areas shall be paved either with cement, Colprovia or other similar impervious material, properly rolled; that planting areas shall be maintained as indicated on plans filed marked 'Received October 7, 1940'; that protection curbs not less than 6 in. in width and 6 in. in height shall be located and maintained as shown; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the erection within the building line near the intersection of West Kingsbridge road and Bailey avenue of a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that during the term of this permit the premises shall be used for no other use than that herein permitted; that there shall be no parking of cars other than those being serviced; that no repairing of automobiles shall be done on the premises; that no portable gasoline tanks shall be used on or from the premises; that working drawings marked 'Received October 7, 1940,' are hereby approved as being in substantial compliance with this resolution; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this amended resolution."

485-40-BZ.

APPLICANT—Emanuel M. Glick, for Methill Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7b of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store).

PREMISES AFFECTED—West side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Emanuel M. Glick.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(485-40-BZ)

WHEREAS, Emanuel M. Glick, for Methill Realty Corporation, owner, filed May 7, 1940, an application under section 7b of the building zone resolution, to permit, partly in a business use district and partly in a residence use district,

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the erection and maintenance of a business building (store); premises west side of Castle Hill avenue, 100 ft. 6 in. north of Westchester avenue (Block No. 3835, Lot No. 1), Borough of The Bronx; and

WHEREAS, this application was granted by the Board July 16, 1940, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted July 16, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7, subdivision b, to permit the extension of the business use into the residence district, as indicated on plans filed with this application, on condition that that portion of the building so extended into the residence district shall comply with the area requirements of the zoning resolution therefor; that no windows shall be erected in the rear wall of the building unless same are made fireproof and fixed and glazed with wire glass, except that windows may open on a legal court or yard.

Resolved further, that in the event the owner desires to extend the area of this building into the business use district, nothing in this resolution shall be deemed to prevent such extension, provided the requirements of this resolution are otherwise complied with in all other respects."

APPEALS FROM ADMINISTRATIVE DECISIONS.

394-40-A.

APPLICANT—The Mortgage Corporation of New York, owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Pilgrim Refrigerating Company, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: R. W. Hogan, Jr.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M., pending filing of memorandum by applicant.

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene A. Walsh.

ACTION OF BOARD—Laid over to October 29, 1940, at 2 P.M., pending report of Fire Department.

808-40-A.

APPLICANT—Charles Wagner Manufacturing Company, Incorporated (lessee), for A. Ludwig and Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar H. Schulz.

ACTION OF BOARD—Laid over to October 29, 1940, at 2 P.M., pending report of Fire Department.

935-40-A.

APPLICANT—Richard Dehler, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—211-48 Jamaica avenue, south side, 141.96 ft. west of 212th street (Block No. 10836, Lot No. 55), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Richard Dehler.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 15, 1940, at 2 P.M., for inspection by a committee of the Board.

1104-39-A.

APPLICANT—Eastern Terra Cotta Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—42-16 Vernon boulevard, west side, 275 ft. north of Harris avenue (Block No. 484, Lot No. 15), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Richard P. Prowell.

ACTION OF BOARD—Appeal withdrawn without argument because of change of occupancy.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

618-40-A.

APPLICANT—Alfred T. Long, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1267 Flushing avenue, north side, 25 ft. east of Johnson avenue, and 636-644 Johnson avenue (Block No. 2996, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred T. Long.

ACTION OF BOARD—Appeal withdrawn, to comply with order of the fire commissioner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

848-40-A.

APPLICANT—Randazzo and Samenfeld, for John F. Dolan, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1657-1659 New York avenue (1653 displayed), east side, 107 ft. 6 in. north of Avenue H (Block No. 7561, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

899-40-A.

APPLICANT—Lama and Proskauer, for Radella, Incorporated, owner (Durante and Swanson, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—188-238 Empire boulevard, south side, 99 ft. 3 in. west of Rogers avenue (Block No. 1314, Lot Nos. 21 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and James L. Scilleppi.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn in view of reopening and amendment of Cal. No. 891-23-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

907-40-A.

APPLICANT—M. Martin Elkind, for Anna Smith, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—33-34 84th street, west side, 320 ft. south of Northern boulevard (Block No. 1431, Lot No. 22), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

920-40-A.

APPLICANT—Lama and Proskauer, for Eastern Terra Cotta Company, owner (Conti-Williams Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42-02 Vernon boulevard, west side, 290.37 ft. north of 43rd avenue (Block No. 484, Lot No. 15), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Edward McMahon.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

645-40-A.

APPLICANT—Gabriel Nathan, for Home Life Insurance Company, owner (Walden-Davison Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—114-02 Triton avenue (Boardwalk), north side, from Beach 114th street to Beach 115th street (Block No. 659, Lot Nos. 30, 32, 34, 40 and 47), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Gabriel Nathan, R. W. Walden and J. T. Rogers.

For Administration: Thomas A. Larkin, Fire Department, and M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(645-40-A)

WHEREAS, Gabriel Nathan, for Home Life Insurance Company, owner, filed June 13, 1940, an appeal from an order of the fire commissioner and an order of the borough superintendent of buildings; premises 114-02 Triton avenue (Boardwalk), north side, between Beach 114th street and Beach 115th street (Block No. 659, Lot Nos. 30, 32, 34, 40 and 47), Rockaway Beach, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4852-LF, dated May 16, 1940, reads:

"1. Install an approved standpipe system in accordance with Article 17, Chapter 26, Administrative Code."

and

WHEREAS, the order of the borough superintendent of buildings, Violation No. 2079-40, dated July 22, 1940, reads:

"You will please take notice that there exists a violation of section 16.1 of the building code and C26-1381.0 of the Administrative Code, the premises hereinafter described in that

Failing to equip building with a complete standpipe system.

You are hereby directed to equip building with complete standpipe system as per above section."

and

WHEREAS, the building is three stories (36 ft.) in height, 200 ft. by 182.6 ft., irregular, in area; of Class 1 construction; located in a residence use C area district; erected about 1912; occupied as a store and bath house throughout, 467 persons per floor, including roof; and

WHEREAS, the applicant contends that the building is fireproof; that the standpipe has been ordered due to the area of the building; that the structure is open on four sides and is only 36 ft. in height; that a certificate of occupancy has been issued; that watchman's service is maintained twenty-four hours a day; that the following hose outlets are provided: first story, five $\frac{3}{4}$ in. outlets; second story, five $\frac{3}{4}$ in. outlets; third story, eight outlets on a $1\frac{1}{2}$ in. feed line; boiler-room, 2 in. hose connection; pool, $1\frac{1}{2}$ in. hose connection; yard, a 2 in. hose connection; all supplied from a 15,000-gallon tank and two 10,000-gallon tanks; that fire extinguishers are provided throughout the premises; that four hydrants are located immediately in front of the premises, one of which connects to a 20 in. main at the boardwalk; that in view of the fireproof construction, the low height and the existing means for extinguishing fire, it is felt that a standpipe is not necessary and would result in a severe hardship to the owner as the premises produce an income only about ten weeks of the year.

Resolved, that the order of the fire commissioner, Order No. 4852-LF, and the order of the borough superintendent of buildings, Violation No. 2079-40, directing that the build-

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ing be equipped with a complete standpipe system, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the equipment as set forth shall be maintained; that sufficient hose shall be supplied to the satisfaction of the fire commissioner to cover all portions of the building; that a supervised watchman service shall be maintained for the twelve months of the year and twenty-four hours of each day; that portable watchman's station equipment shall be installed covering all parts of the building; that, in addition, such fire extinguishers shall be provided as the fire commissioner shall direct; granted only as long as the building is kept and maintained as proposed.

784-40-A.

APPLICANT—Ampion Corporation (lessee), for Quimby Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Mack L. Kane.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(784-40-A)

WHEREAS, Ampion Corporation (lessee), for Quimby Corporation, owner, filed July 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 47-02 to 47-08 Fifth street, southwest corner of 47th avenue (Block No. 20, Lot No. 5), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 4823-LF, dated May 14, 1940, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to: Arrange the sprinkler system to conform to the requirements of Art. 16, Ch. 26 Ad. Code and comply with the following:

A. Arrange for a test of all sprinkler siamese and connections up to the lower check valves. In no case shall the minimum test pressure be less than 100 lbs.

Such test to be arranged for and conducted by the owner and at the owner's risk in the presence of a representative of this department. The Division of Fire Prevention must be notified in writing at least 48 hrs. before the test. Note: Siamese caps, clappers and the siamese risers are often found defective. It may, therefore, be necessary to expose for inspection these risers at the point where they pass through the sidewalk.

Article 16, Ch. 26, and C19-161.0 Administrative Code of the City of New York.

B. Replace missing sprinkler heads on all floors.

C. Provide a $\frac{3}{4}$ " automatic ball drip for sprinkler line, inside of building at lower level, between check valve and outside siamese connection or provide a $\frac{3}{4}$ " gate valve with outlet plug. C19-161.0 Adm. Code.

D. Have person in charge of sprinkler system secure Certificate of Fitness from this Dept. C19-161.0 Adm. Code.

Note: Application for certificates may be obtained at Room 1100, Municipal Bldg., Chambers and Centre Streets, N.Y.C. any weekday excepting Saturdays between the hours of 9 A.M. and 5 P.M."

WHEREAS, said order was repeated in a decision of the fire commissioner dated June 26, 1940; and

WHEREAS, the building is two stories (28 ft.) in height, 100 ft. 6 in. by 99 ft. 7 in. in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use A area district; erected prior to 1898, and occupied: cellar, storage and boiler-room, no persons; first story, manufacturing of cleansing products, powders, soaps, deodorants and disinfectants, 6 persons; second story, office, stock room and assembling soap dispensers and parts, 7 persons; and

WHEREAS, the applicant contends that the sprinkler system was originally installed by a manufacturer of paints, lacquers and varnishes and that it is now in a state of complete disrepair; that the present business conducted on the premises does not require the storage of any explosives, highly inflammable or highly combustible materials; that there is no requirement in the Administrative Code for the installation of a sprinkler system in this type of building; that the ordinary precautions required in this type of business, namely, fire buckets and fire extinguishers, are more than ample to safeguard the premises.

Resolved, that the order of the fire commissioner, Order No. 4823-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be placed in proper working order, satisfactory to the fire commissioner, within one (1) year from the date of this action unless the fire commissioner decides that the occupancy is such as to require immediate compliance; that until such time as the sprinkler system is put in good working order as herein provided, the sign on the street siamese shall be removed or changed to read "Not in working order".

878-40-A-WF.

APPLICANT—Austin W. Magee, for Cord Meyer Development Company, owner (For-Hills Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—108-29 Queens boulevard and 109-01 to 109-07 71st road, northwest corner (Block No. 2224, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(878-40-A-WF)

WHEREAS, Austin W. Magee, for Cord Meyer Development Company, owner, filed August 27, 1940, an appeal from a decision of the borough superintendent of buildings for permission to occupy the premises as a cabaret within the World's Fair area; premises 108-29 Queens boulevard and 109-01 to 109-07 71st road, northwest corner (Block No. 2224, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1820-40, dated August 23, 1940, reads:

"1. The establishment of a cabaret within the World's Fair area is contrary to Section 8 of the World's Fair Resolution."

and

WHEREAS, the building is one story (30 ft.) in height, 191.45 ft. by 100 ft., irregular, in area; of Class 3 construction; erected in 1939; located in a retail use D area district, and occupied: cellar, storage; first story, restaurant and

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kitchen, 200 persons; it is proposed to be occupied: cellar, storage; first story, restaurant, kitchen and cabaret, 200 persons; Certificate of Occupancy No. Q-9498 was issued January 15, 1940, permitting the use of the first story as stores; and

WHEREAS, the applicant contends that the owner has leased stores Nos. 11 and 12 in the building in question, with a frontage of 23 ft. on Queens boulevard and 57 ft. 6 in. on 71st road, with a depth of 75 ft., irregular in area, for a restaurant and cabaret; that he employs a three-piece orchestra for supper music and dancing with no floor show; in view of the fact that the World's Fair Resolution will expire October 27, 1940, permission is requested to operate the premises as a cabaret waiting for such expiration.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 1820-40, Objection 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

890-40-A.

APPLICANT—Sidney L. Strauss, for James Plunket, owner (B. A. Nicholson, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3600-3620 Jerome avenue, east side, 35.08 ft. north of East 213th street (Block No. 3329, Lot No. 85), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(890-40-A)

WHEREAS, Sidney L. Strauss, for James Plunket, owner, filed August 22, 1940, an appeal from an order and a decision of the fire commissioner; premises 3600-3620 Jerome avenue, east side, 35.08 ft. north of East 213th street (Block No. 3329, Lot No. 85), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, Order No. 5586-LF, dated September 19, 1939, reads:

"1. Arrange for a flow and pressure test of the standpipe to prove the lines, line valves, check valves and siamese connections are free from obstruction and in proper operating condition. Such test to be made in the presence of an inspector from this department."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated July 1, 1940; and

WHEREAS, the building is two stories (28 ft.) in height, 125 ft. by 193.49 ft. in area; of Class 3 construction; equipped with a standpipe and sprinkler system; erected in 1927; located in a business use C area district, and occupied: first story, stores and garage; second story, sale of used cars and garage; Certificate of Occupancy No. 447 was issued March 18, 1927, on New Building Application No. 3047-25, permitting the use of the first story for stores and garage; and

WHEREAS, the applicant contends that a flow test was recently conducted and disclosed that the standpipe gravity tank and its electrical equipment were defective; that the building is only two stories in height; that sufficient pressure is maintained at the water main of the street in front of the premises to supply the second story; the building is equipped throughout with an automatic sprinkler system; that permission is respectfully requested to remove the existing standpipe gravity tank, to cap the existing risers above the roof,

and to make all necessary repairs to the standpipe system as it exists so that it can be used as a dry system with siamese connection at street front for Fire Department use.

Resolved, that the order of the fire commissioner, Order No. 5586-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the system shall be as approved by the fire commissioner as a dry standpipe system after the removal of the gravity tank, and that the sprinkler system shall be maintained in accordance with the requirements therefor and as required in the resolution of the Board under Calendar No. 41-26-BZ and to the satisfaction of the fire commissioner.

901-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—170-03, 170-07, 170-11, 170-15, 170-19, 170-23, 170-27, 170-31, 170-35, 170-39, 170-43, 170-47, 170-51, 170-55 and 170-59 Pidgeon Meadow road, north side, between Auburndale lane and Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(901-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed September 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 170-03 to 170-59 Pidgeon Meadow road, north side, between Auburndale lane and Fresh Meadow lane (Block No. 5577, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 5470 to 5484-40, inclusive, dated August 27, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2, Building Code."

and

WHEREAS, the premises consist of a plot fronting 113 ft. on Auburndale lane and 612.62 ft. on Pidgeon Meadow road; located in a residence use B area district; it is proposed to subdivide the plot into fifteen separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 18 ft. in height, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back from Pidgeon Meadow road for a distance of 15 ft., into which setback front entrance steps may project for a distance of approximately 5 ft.; side yards will be provided on the easterly lot lines 10 ft. in width, except for the most easterly building, which will have a side yard approximately 12 ft. in width at the setback line; side yards 5 ft. in width will be provided on the west lot lines, except for the most westerly building located at the intersection of Auburndale lane, which will be set back from Auburndale lane approximately 6 ft. 6 in.; garages will be located not nearer than 1 ft. to rear and side lot lines; the dwellings will be brick veneer at the first story, with frame gables, and surfaced with stucco, wood clapboards or asbestos shingles; roofs will be surfaced with asphalt shingles; garages will be brick veneer to the plate line, with front frame gables, and surfaced with stucco, wood clapboards or asbestos shingles, and have rear frame gables surfaced on the exterior with incombustible materials or be brick-filled; roofs will be sur-

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faced with asphalt shingles or, in lieu thereof, garages will be Class 3 construction; and

WHEREAS, the applicant contends that the owner is developing the entire area with dwellings of similar type construction; that a declaration of restriction has been filed restricting the property in question to residential use; that the construction of brick dwellings in this area will not be justified by the possible sales market; that the proposed dwellings will be in harmony with the existing development of the area.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 5470 to 5484-40, inclusive, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be constructed as proposed and that in all other respects shall meet the requirements of the Building Code for single-family dwelling erected outside the fire limits; that the garage shall be solely for use as an accessory to the single-family residential occupancy.

906-40-A.

APPLICANT—M. M. Elkind, for Rex Diners, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—160-01 Northern boulevard, northeast corner of 160th street (Block No. 5280, Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(906-40-A)

WHEREAS, M. M. Elkind, for Rex Diners, Incorporated, owner, filed September 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 160-01 Northern boulevard, northeast corner of 160th street (Block No. 5280, Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1798-40, dated August 23, 1940, reads:

"1. The extension of a frame building in Class 5 construction is contrary to Sec. 4.1.5 (c) of the Building Code.

2. Minimum thickness of metal framework is less than required by section 8.6.2.6 of the Building Code."

and
WHEREAS, the building is one story (12 ft.) in height, 56 ft. by 44 ft. in area; of Class 4 construction; located in a business use C area district; erected in 1926, and occupied as a dining car (dining room on the first story and storage in the cellar); and

WHEREAS, the applicant contends that it is proposed to replace the existing diner which is attached to the frame structure and use it as a dining room and kitchen; that the new diner will be 4 ft. longer and 2 ft. wider than the existing diner; that the new diner is of modern construction and would be approved as a new building; that due to the fact that the new structure is prefabricated, it would be an undue hardship to require the exact dimensions of the old diner to be adhered to; that the new diner will be structurally superior, more fire safe and a more desirable building than the existing structure; that the building will have metal studs with 16 gauge porcelain on both sides as compared with the existing wood studding and thin metal covering on the existing building.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 1798-40, Objection Nos. 1 and 2, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that such occupancy shall continue only so long as the building is maintained substantially as proposed.

921-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-04 to 58-56 189th street, west side, between World's Fair boulevard and 58th avenue and 535 ft. north of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(921-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed September 17, 1940, an appeal from decisions of the borough superintendent of buildings; premises 58-04 to 58-56 189th street, northwest corner of World's Fair boulevard (Block No. 5692, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 5883 to 5895-40, inclusive, dated September 9, 1940, reads:

"1. The erection of a frame dwelling in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5896-40, dated September 12, 1940, reads:

"1. The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on the north side of World's Fair boulevard and 575 ft. on the west side of 189th street; located in an unrestricted use D area district; it is proposed to subdivide the plot into fourteen separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 18 ft. in height, 25 ft. by 40 ft. in area, and a private garage, 11 ft. by 19 ft. in area; the dwellings will be surfaced on the exterior at the first story with masonry veneer, with frame gables surfaced with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with approved asphalt shingles; garages will be veneered with masonry to the plate line, with front frame gables surfaced on the exterior with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer, and have rear frame gables surfaced on the exterior with incombustible materials or be brick-filled; garage roofs will be surfaced with approved asphalt shingles or, in lieu thereof, garages will be of Class 3 construction; dwellings will be set back from the 189th street building line a distance of 20 ft., into which setback front entrances and bay windows will project approximately 5 ft., and will have 10 ft. wide side yards on the south lot lines and side yards on the north lot lines of not less than 5 ft. wide, except for the dwelling to be located at the cor-

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ner of World's Fair boulevard, which will be set back from the World's Fair boulevard building line a distance of 15 ft.; side entrance steps will project 3 ft. into side yards; garages will be located not nearer than 1 ft. to side and rear lot lines; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that a declaration of restriction has been filed restricting the use of these lots to residence use; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5883 to 5895-40, inclusive, and New Building Application No. 5896-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

927-40-A.

APPLICANT—Alexander Zager, for Guaranteed Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-07 to 58-55 189th street, east side, between World's Fair boulevard and 58th avenue (Block No. 5693, Lot No. 14), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(927-40-A)

WHEREAS, Alexander Zager, for Guaranteed Homes, Incorporated, owner, filed September 23, 1940, an appeal from decisions of the borough superintendent of buildings; premises 58-07 to 58-55 189th street, east side, between World's Fair boulevard and 58th avenue (Block No. 5693, Lot No. 14), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5897 to 5908-40, inclusive, dated September 9, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4.1.2 Building Code." and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6408-40, dated September 20, 1940, reads:

"1. The erection of a frame dwelling in the fire limits is contrary to Sec. 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 100 ft. on the north side of World's Fair boulevard and 564.08 ft. on the east side of 189th street; located in an unrestricted use D area district; it is proposed to subdivide the plot into thirteen separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 18 ft. in height, 25 ft. by 40 ft. in area, and a private garage, 11 ft. by 19 ft. in area; the dwellings will be surfaced on the exterior at the first story with masonry veneer, with frame gables surfaced with wood siding, asbestos siding, asbestos

shingles, stucco or masonry veneer; roofs will be surfaced with approved asphalt shingles; garages will be veneered with masonry to the plate line, with front frame gables surfaced on the exterior with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer, and have rear frame gables surfaced on the exterior with incombustible materials or be brick-filled; garage roofs will be surfaced with approved asphalt shingles or, in lieu thereof, garages will be of Class 3 construction; dwellings will be set back from the 189th street building line a distance of 20 ft., into which setback front entrances and bay windows will project approximately 5 ft., and will have 10 ft. wide side yards on the south lot lines and side yards on the north lot lines of not less than 5 ft. in width, except for the dwelling to be located 35.92 ft. south of 58th avenue, which will be not nearer than 5 ft. to the north lot line; the dwelling to be located at the corner of World's Fair boulevard will be set back from the World's Fair boulevard building line a distance of 15 ft.; side entrance steps will project 3 ft. into side yards; garages will be located not nearer than 1 ft. to side and rear lot lines; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that a declaration of restriction has been filed restricting the use of these lots to residence use; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5897 to 5908-40, inclusive, and New Building Application No. 6408-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

929-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-02 190th street, southwest corner of 73rd avenue, and 73-06 190th street, west side, 600 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo Beer.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(929-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from decisions of the borough superintendent of buildings; premises 73-02 190th street, southwest corner of 73rd avenue, and 73-06 190th street, west side, 600 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4424-40, dated September 23, 1940, reads:

"1. The erection of a frame dwelling in the fire limits is contrary to Sec. 4.1.2 of the Building Code." and

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WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4730-40, dated September 23, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4.1.2 Building Code."

and
WHEREAS, the premises consist of a plot fronting 100.18 ft. on the south side of 73rd avenue and 80.44 ft. on the west side of 190th street; located in a business and residence use D area district; it is proposed to subdivide the plot into two separate lots and to erect on each lot a two-story, frame, one-family dwelling and garage, 25 ft. in height and 28 ft. 4 in. by 33 ft. in area; the dwellings will be surfaced on the exterior at the first story with masonry veneer and at the second story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with natural slate; the buildings will be set back from the 190th street building line not less than 20 ft., into which setback front entrances and bay windows may project for approximately 5 ft., and will have 5 ft. wide side yards on the south lot lines and side yards on the north lot lines of not less than 5 ft. in width, except for the dwelling to be located at the corner of 73rd avenue, which will be set back from the 73rd avenue building line for a distance of approximately 4 ft.; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application No. 4424-40 and New Building Application No. 4730-40, Objection No. 1, be and they hereby are *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

930-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-03 190th street, southeast corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo Beer.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(930-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-03 190th street, southeast corner of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4421-40, dated September 23, 1940, reads:

"1. The erection of a frame dwelling and an accessory frame garage on a plot located in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.18 ft. on the south side of 73rd avenue and 40.04 ft. on the west side of 190th street; located in a business use D area district; it is proposed to erect upon the plot a two-story frame one-family dwelling, 25 ft. in height and 25 ft. by 32 ft. in area; the dwelling will be surfaced on the exterior at the first story with masonry veneer and at the second story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; the roof will be surfaced with natural slate; the dwelling will be set back from the 190th street building line 27 ft., into which setback front entrance and bay windows may project approximately 5 ft., and will have a 6 ft. wide side yard on the south lot line and also will be set back from the 73rd avenue building line a distance of approximately 10 ft., into which a chimney breast will project approximately 2 ft.; the garage will be veneered with masonry to the plate line, with front frame gables and be surfaced on the exterior with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer and will have rear frame gables surfaced on the exterior with incombustible materials or be brick-filled; the roof will be surfaced with natural slate; the garage will be located not nearer than 1 ft. to side and rear lot lines; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwelling will be in harmony with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4421-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

931-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-07 190th street, east side, 40.04 ft. south of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo Beer.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(931-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-07 190th street, east side, 40.04 ft. south of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4649-40, dated September 24, 1940, reads:

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"1. The erection of a frame building within the fire limits is contrary to Sec. 4.1.1. and 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot fronting 40 ft. on the east side of 190th street; located in a business use D area district; it is proposed to erect on the plot a two-story, frame, one-family dwelling and garage, 25 ft. in height and 28 ft. 4 in. by 33 ft. in area, to be surfaced on the exterior at the first story with masonry veneer and at the second story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with natural slate; the dwelling will be set back from the 190th street building line not less than 20 ft., into which setback front entrances and bay windows may project approximately 5 ft., and also will have a side yard on the south lot line of 5 ft. in width, into which a chimney breast may project 2 ft., and one on the north lot line of not less than 6 ft. in width; and

WHEREAS, applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwelling will be in harmony with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4649-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

932-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-11 190th street, east side, 80.04 ft. south of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hugo Beer.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(932-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 73-11 190th street, east side, 80.04 ft. south of 73rd avenue (Block No. 7178, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6193-40, dated September 16, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Sec. 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 40 ft. on the east side of 190th street; located in a business and residence use D area district; it is proposed to erect on the plot a two-story, frame, one-family dwelling and garage, 25 ft. in height and 28 ft. 4 in. by 33 ft. in area, to be surfaced on the exterior at the first story with masonry veneer and at the second story with wood siding, asbestos siding, asbestos

shingles, stucco or masonry veneer; roofs will be surfaced with natural slate; the dwelling will be set back from the 190th street building line not less than 20 ft., into which setback front entrances and bay windows may project for approximately 5 ft., and also will have a side yard on the south lot line of 5 ft. in width and one on the north lot line of not less than 6 ft. in width; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 6193-40, Objection No. 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

933-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-48 to 58-56 217th street, northwest corner of World's Fair boulevard and west side of 217th street, 36.03 ft. and 76.03 ft. north of World's Fair boulevard (Block No. 7467, Lot No. 3), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Hugo Beer.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(933-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from decisions of the borough superintendent of buildings; premises 58-48 to 58-56 217th street, northwest corner of World's Fair boulevard (Block No. 7467, Lot No. 3), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5522-40, dated September 23, 1940, reads:

"1. The erection of a frame dwelling and a frame accessory garage on a lot located in the fire limits, is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5534-40, dated September 23, 1940, reads:

"1. The erection of a frame dwelling partly inside and partly outside the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5529-40, dated September 23, 1940, reads:

"1. The erection of a frame dwelling in fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.22

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ft. on the north side of World's Fair boulevard and 116.03 ft. on the west side of 217th street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on the corner lot a two-story, frame, one-family dwelling and garage, 25 ft. in height and 28 ft. 4 in. by 31 ft. in area, to be surfaced on the exterior at the first story with masonry veneer and at the second story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; the roof will be surfaced with natural slate; it is also proposed to erect on the lots, 36.03 ft. and 76.03 ft. north of World's Fair boulevard, a two-story, frame, one-family dwelling and a one-story, frame, one-family dwelling, 27 ft. by 42 ft. in area, respectively, of similar construction, and two private garages, which will be surfaced on the exterior with masonry veneer to the plate line, with frame gables surfaced with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer, and have rear frame gables surfaced on the exterior with incombustible materials or be brick-filled; roofs will be surfaced with natural slate; garages will be located not nearer than 1 ft. to the side and rear lot lines; the dwellings will be set back from the 217th street building line not less than 20 ft., into which setback front entrance steps and bay windows may project for approximately 5 ft.; side yards will be provided on the north lot lines of 9 ft. in width, except for the corner building where such side yard will be 6 ft. in width; side yards will be provided on the south lot lines of not less than 4 ft. in width, except for the corner building which will be set back from the World's Fair boulevard building line a distance of 3 ft.; chimney breasts and side entrance steps may project into side yards 3 ft.; and

WHEREAS, applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5522-40, 5534-40 and 5529-40, Objection No. 1, be and they hereby are modified and the appeal be and it hereby is granted on condition that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

934-40-A.
APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—58-47 to 58-57 217th street, northeast corner of World's Fair boulevard and east side of 217th street, 50.41 ft. and 90.41 ft. north of World's Fair boulevard (Block No. 7468, Lot No. 1), Bayside, Borough of Queens.
APPEARANCES—
For Applicant: Hugo Beer.
For Administration: M. O'Donohue, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(934-40-A)
WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed September 24, 1940, an appeal from

decisions of the borough superintendent of buildings; premises 58-47 to 58-57 217th street, northeast corner of World's Fair boulevard and east side of 217th street, 50.41 ft. and 90.41 ft. north of World's Fair boulevard (Block No. 7468, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5528-40, dated September 24, 1940, reads:

"1. The erection of a frame dwelling partly inside and partly outside the fire limits, contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5521-40, dated September 23, 1940, reads:

"1. The construction of a frame dwelling and a frame accessory garage on a lot located in the fire limits, is contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5523-40, dated September 24, 1940, reads:

"1. The erection of a frame dwelling in the fire limits, is contrary to Sec. 4.1.2 of the Building Code."

and
WHEREAS, the premises consist of a plot fronting 100.20 ft. on the north side of World's Fair boulevard and 130.41 ft. on the east side of 217th street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on the corner lot a two-story, frame, one-family dwelling and a private garage; to erect on the lot 50.41 ft. north of the corner a two-story, frame, one-family dwelling and garage, 25 ft. in height and 28 ft. 4 in. by 30 ft. in area, and to erect on the lot 90.41 ft. north of the corner a one-story, frame, one-family dwelling, 27 ft. by 42 ft. in area, and a private garage; the dwellings will be surfaced on the exterior at the first story with masonry veneer and above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with natural slate; the buildings will be set back from the 217th street building line not less than 22 ft., into which setback front entrances and bay windows may project for approximately 5 ft., and also will have side yards on the south lot lines of 4 ft. in width and on the north lot lines of not less than 7 ft. in width, into which yards chimney breasts may project for 2 ft., except for the dwelling to be located at the corner of World's Fair boulevard, which will be set back from the World's Fair boulevard building line a distance of approximately 12 ft.; and

WHEREAS, the applicant contends that the owner has constructed a large number of houses of similar construction in this area; that the construction of brick buildings in this area is not warranted in this sales market; that to leave the business property unbuilt upon would constitute an eyesore; that the proposed dwellings will be in harmony with the balance of the development.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5528-40, 5521-40 and 5523-40, Objection No. 1, be and they hereby are modified and the appeal be and it hereby is granted on condition that the building shall be erected as herein proposed and shall be limited in occupancy to single-family dwelling and to the garage as accessory thereto, and that in all other respects the building shall comply with all laws, rules and regulations applicable to residential buildings erected outside the fire limits.

958-40-A.
APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.

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PREMISES AFFECTED—120-27 to 120-39 222nd street, 120-79 Francis Lewis boulevard, northwest corner, and west side of 222nd street, 257 ft. north of 120th avenue (Block No. 3454, Lot No. 2), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(958-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 120-27 to 120-39 222nd street, 120-79 Francis Lewis boulevard, northwest corner, and west side of 222nd street, 257 ft. north of 120th avenue (Block No. 3454, Lot No. 2), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5028, 6303, 6304, 6315 and 6316 of 1940, read:

"The erection of a frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 131.52 ft. on Francis Lewis boulevard and 157.91 ft. on 222nd street; located in a business and residence use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a one and one-half or two-story, frame, one-family dwelling not to exceed 25 ft. 6 in. by 46 ft. in area and 28 ft. in height and also to provide a garage 11 ft. by 20 ft. in area; dwellings will be set back from the 222nd street building line approximately 17 ft., except for the corner building which will be set back from Francis Lewis boulevard a distance of 15 ft.; side yards will be provided on the north sides of not less than 10 ft. in width, except for the corner building which shall be not nearer than 5 ft. to the northerly lot line; side yards will be provided on the south sides not less than 4 ft. in width; garages will be located not nearer than 1 ft. to side and rear lot lines; chimney breasts may project into the side yards approximately 2 ft.; front entrance steps may project into setbacks a distance of 5 ft.; dwellings will be surfaced on the exterior with brick veneer at the first story and will be surfaced above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5028, 6303, 6304, 6315 and 6316-40, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be erected as proposed and shall be limited to occupancy of a single family with a garage as accessory thereto; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

959-40-A.

APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-16 to 120-28 222nd street, east side, 130 ft. south of 120th avenue (Block No. 3453, Lot No. 18), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(959-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 120-16 to 120-28 222nd street, east side, 130 ft. south of 120th avenue (Block No. 3453, Lot No. 18), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6306, 6307, 6312 and 6313 of 1940, dated September 18, 1940, read:

"The erection of a frame building within the Fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 131.31 ft. on Francis Lewis boulevard and 213.85 ft. on 222nd street; located in a business and residence use D area district; it is proposed to subdivide the plot into four separate lots and to erect on each lot a one or two-story, one-family dwelling not to exceed 25 ft. 6 in. by 46 ft. in area and 28 ft. in height, and also a private garage 11 ft. by 20 ft. in area; dwellings will be set back from the 222nd street building line a distance of 17 ft.; the corner dwelling will be set back from the Francis Lewis boulevard building line a distance of 8 ft.; side yards will be provided on the north sides of not less than 10 ft., except for the corner building which will have a side yard on the north lot line 4 ft. in width; side yards will be provided on the south sides of not less than 4 ft. in width; garages will be located not nearer than 1 ft. to side and rear lot lines; the garage to be located on the corner lot will be not nearer than 5 ft. to the dwelling, except that chimney breast may project into said 5 ft. space approximately 2 ft. and the garage on the corner lot will not be set back from Francis Lewis boulevard; dwellings will be surfaced on the exterior with brick veneer at the first story and will be surfaced above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6306, 6307, 6312 and 6313-40, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be erected as proposed and shall be limited to occupancy of a single family with a garage as accessory thereto; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

960-40-A.

APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.

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SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-70 Francis Lewis boulevard and 120-46 to 120-54 222nd street, east side, from 121st avenue to Francis Lewis boulevard (Block No. 3453, Lot No. 85), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(960-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 120-70 Francis Lewis boulevard and 120-46 to 120-54 222nd street, from 121st avenue to Francis Lewis boulevard (Block No. 3453, Lot No. 85), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6308, 6309 and 6310 of 1940, dated September 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on 121st street, 84.84 ft. on 222nd street and 131.31 ft. on Francis Lewis boulevard; located in a business use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one-story, one-family frame dwelling 25 ft. 6 in. by 46 ft. in area and to provide a garage 11 ft. by 20 ft. in area; dwellings will be set back from the 222nd street building line not less than 12 ft. and from the 121st avenue building line not less than 8 ft.; the dwelling to be located at the corner of Francis Lewis boulevard will be set back a distance of 11 ft. to the main building permitting an open porch to encroach on said setback approximately 5 ft.; side yards will be provided on the south sides of not less than 4 ft. and on the north sides of not less than 6 ft., except that the building at the corner of Francis Lewis boulevard will be located not nearer than 11 ft. to Francis Lewis boulevard, except for the open porch; garages will be not nearer than 1 ft. to side and rear lot lines; dwellings will be surfaced on the exterior with brick veneer at the first story and will be surfaced above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6308, 6309 and 6310-40, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be erected as proposed and shall be limited to occupancy of a single family with a garage as accessory thereto; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

51-40-A.

APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-40 to 120-52 223rd street, northwest corner of Francis Lewis boulevard and west side of 223rd street, 79.95 ft. and 120 ft. north of Francis Lewis boulevard and 260 ft. south of 120th avenue (Block No. 3454, Lot No. 2), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(961-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 120-40 to 120-52 223rd street, northwest corner of Francis Lewis boulevard and west side of 223rd street, 79.95 ft. and 120 ft. north of Francis Lewis boulevard and 260 ft. south of 120th avenue (Block No. 3454, Lot No. 2), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6219, 6220, 6224 and 6311 of 1940, dated September 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of Building Code."

and

WHEREAS, the premises consist of a plot fronting 123 ft. on Francis Lewis boulevard, 6.02 ft. on 121st avenue and 200 ft. on 223rd street; located in a business use D area district; it is proposed to subdivide the plot into four separate lots and to erect on each lot a one-story, frame, one-family dwelling not to exceed 25 ft. 6 in. by 46 ft. in area and a private garage 11 ft. by 20 ft. in area; dwellings will be set back from the 223rd street building line a distance of 17 ft. and from Francis Lewis boulevard approximately 5 ft.; side yards will be provided on the north sides of not less than 10 ft. in width, except that a building located at the corner of Francis Lewis boulevard will have a side yard on the north side of approximately 6 ft.; side yards will be provided on the south sides 4 ft. in width, except that the building to be located at the corner of Francis Lewis boulevard will be set back approximately 5 ft. from the Francis Lewis boulevard building line; the garages will be located not nearer than 1 ft. to side and rear lot lines; the garage to be located on the lot at the corner of Francis Lewis boulevard will be set back from Francis Lewis boulevard a distance of 19 ft.; the dwellings will be surfaced on the exterior with brick veneer at the first story and will be surfaced above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6219, 6220, 6224 and 6311-40, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be erected as proposed and shall be limited to occupancy of a single family with a garage as accessory thereto; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

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962-40-A.

APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-47 to 120-55 223rd street, northeast corner of Francis Lewis boulevard (Block No. 3454, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(962-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 120-47 to 120-55 223rd street, northeast corner of Francis Lewis boulevard (Block No. 3454, Lot No. 50), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6573, 6574 and 6575 of 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on Francis Lewis boulevard and 120 ft. on 223rd street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect on each lot a one-story, frame, one-family dwelling 25 ft. 6 in. by 46 ft. in area and 22 ft. in height and a private garage 10 ft. by 20 ft. in area; dwellings will be set back from the 223rd street building line a distance of 17 ft. and the corner dwellings will be set back from Francis Lewis boulevard a distance of 8 ft.; side yards will be provided on the north sides of not less than 10 ft. in width, except that the corner dwelling will have a side yard of 6 ft.; side yards will be provided on the south sides of not less than 4 ft. in width; garages will be located not nearer than 1 ft. to side and rear lot lines; the buildings will be surfaced on the exterior with brick veneer at the first story and will be surfaced above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6573, 6574 and 6575-40, be and they hereby are modified and that the appeal be and it hereby is granted on condition that the building shall be erected as proposed and shall be limited to occupancy of a single family with a garage as accessory thereto; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

963-40-A.

APPLICANT—Frank C. Keller, for Par Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—221-20, 221-24, 222-02 to 222-14 121st avenue, south side, from 1,488.53 ft. to 1,688.53 ft. east of Springfield boulevard, 120-78 to 120-86, 121-02 and 121-06 Francis Lewis boulevard south side, 1,728 ft. west of Springfield boulevard (Block No. 3450, Lot No. 35), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Stewart Willey.
For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(963-40-A)

WHEREAS, Frank C. Keller, for Par Homes, Incorporated, owner, filed October 2, 1940, an appeal from decisions of the borough superintendent of buildings; premises 221-20, 221-24, 222-02 to 222-14 121st avenue, south side, from 1,488.53 ft. to 1,688.53 ft. east of Springfield boulevard, 120-78 to 120-86, 121-02 and 121-06 Francis Lewis boulevard, south side, 1,728 ft. west of Springfield boulevard (Block No. 3450, Lot No. 35), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5034, 5035, 5036, 5037, 5038 and 5039-1940, dated September 26, 1940, and Application Nos. 6578 to 6582-1940, inclusive, dated October 1, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 263.65 ft. on 121st avenue and 239.58 ft. on Francis Lewis boulevard; located in a business use D area district; it is proposed to subdivide the plot into eleven separate lots and to erect on each lot a one-story, one-family frame dwelling 24 ft. by 39 ft. 4 in. in area and a private garage 11 ft. by 20 ft. in area; dwellings will be set back from the street building lines approximately 17 ft., except for the dwelling located at the intersection of 121st avenue and Francis Lewis boulevard which will be set back from the 121st avenue building line a distance of 25 ft.; side yards will be provided on the west sides of not less than 4 ft. in width and on the east sides of not less than 12 ft. for the buildings located on 121st avenue and side yards of not less than 23 ft. for the buildings located at the intersection of 121st avenue and Francis Lewis boulevard, except that the building, No. 120-78 Francis Lewis boulevard, will have a side yard on the east side of 19 ft.; chimney breasts may project into side yards a distance of 2 ft.; garages will be located not nearer than 1 ft. to side and rear lot lines; dwellings will be surfaced on the exterior with brick veneer at the first story, and above the first story with wood siding, asbestos siding, asbestos shingles, stucco or masonry veneer; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction; and

WHEREAS, the applicant contends that the property has no present value for business purposes and that its present outlook is that it will never be required for business purposes; that the dwellings will be designed substantially in conformance with F area requirements.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5034 to 5039-40, inclusive, and 6578 to 6582-40, inclusive, be and they hereby are modified and that the appeal be and it hereby is granted on condition that the building shall be erected as proposed and shall be limited in occupancy to a single family with a garage as accessory thereto; that the buildings may be surfaced above the first story with asbestos, wood siding or masonry veneer, provided that if wood siding

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is used for the first story surfacing, such siding shall be used only on every alternate house; that in all other respects the building shall comply with all laws, rules and regulations applicable to a residential building erected outside the fire limits.

290-40-A.

APPLICANT—Clara Hall Brooks (lessee), for Mrs. F. McWilliams, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond.

APPEARANCES—

For Applicant: Clara Hall Brooks and Annie A. McWilliams.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(290-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, premises 36 Haven Esplanade, northwest corner of Silver Lake road (Block No. 126, Lot No. 1), Silver Lake, Borough of Richmond, was granted by the Board March 26, 1940, on certain conditions; and

WHEREAS, Clara Hall Brooks (lessee), for Mrs. F. McWilliams, owner, requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 26, 1940, so that as amended the resolution shall read:

"Resolved, that the decision of the borough superintendent of buildings, acting on B.N. Application No. 100-40, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the plot shall not be reduced in area; that the building shall not be increased in height or area; that no additional buildings shall be constructed on the plot; that the cellar ceiling throughout shall be maintained in good plastered condition; that the opening between the cellar and the garage shall be blocked up with approved masonry; that the wood partition adjoining the heater shall either be entirely removed or covered on the side towards the heater with asbestos or metal on furred strips; that the heater shall comply with all laws, rules and regulations applicable thereto; that the door to cellar on the first story shall be made self-closing; that the window on the dining room alcove shall be made readily openable and steps shall be provided from the sill to the adjoining yard; that the proposed kindergarten school shall be maintained on the first story only, with not more than thirty (30) children in attendance; that the second story and attic shall be used solely as a dwelling for one family; that there shall be an attendant in charge of the building at all times during the school session."

VARIATION OF THE LABOR LAW.

943-40-S.

APPLICANT—Bernhardt T. Berman, for Carmela Ruspan-
tino, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2725 Stillwell avenue, east side, 580 ft. north of Neptune avenue (Block No. 7247, Lot No. 191), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernhardt T. Berman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative: Assistant Chief McCarthy 1

THE RESOLUTION—

(943-40-S)

WHEREAS, Bernhardt T. Berman, for Carmela Ruspan-
tino, owner, filed September 27, 1940, an application for a variation from the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings; premises 2725 Stillwell avenue, east side, 580 ft. north of Neptune avenue (Block No. 7247, Lot No. 191), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4854-40, dated September 24, 1940, reads:

"3. Provide two fireproof stairs from second floor in compliance with Sec. 270 of the Labor Law."

and

WHEREAS, the building is two stories (27 ft. 9 in.) in height, 15 ft. 11½ in. by 109 ft. 8 in. in area on the first story and 20 ft. by 100 ft. in area above; of Class 3 and 4 construction; erected in 1927; located in an unrestricted use district; occupied: cellar, ordinary use; first story, nickel plating shop, 3 persons; second story, dwelling, one family; it is proposed to occupy the building: cellar, same; first story, same, 10 persons; second story, nickel plating shop at front, 10 persons, and dwelling, one family, at rear; the building will be equipped with one interior stairs, 3 ft. 10 in. wide, of fireproof construction, and equipped with one hour fire doors, located at the front of building; and

WHEREAS, the applicant contends that the first story is occupied as a factory by the owner of the premises, who resides on the second story; that the second story factory will be occupied in conjunction with the first story; that the occupancy of the second story will not exceed ten persons; that the net area of the second story is 741 sq. ft.; that the proposed stairways will be adequate; that due to the small area it is impracticable to erect the second stairway; that in lieu of the required second means of egress, it is proposed to provide a sliding drop ladder at the rear to the side court where exit can be had direct to the street through a fireproof passageway.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the borough superintendent of buildings, on Alteration Application No. 4854-40, Objection No. 3, and that the application be and it hereby is granted on condition that the exits shall be provided substantially as indicated on plans filed with the borough superintendent of buildings on Alteration Application No. 4854-40; that a sliding drop ladder shall be maintained as a second means of exit, as shown; that the roof between the existing second story rear and the proposed second story front shall be fireproof; that all lot line windows shall be fireproof and self-closing; that all windows opening on the fire passage through to Stillwell avenue shall be fireproof and self-closing, except the window where drop ladder is to be constructed which shall be fireproof and fixed; that objections of the Building Department, Nos. 2, 4, 5, 6, 7 and 8, dated September 24, 1940, shall be complied with, and granted only so long as the building is maintained as proposed and as herein permitted and in all other respects meets the requirements of all laws, rules and regulations relating to the construction of this building and its occupancy.

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MATERIALS SUBMITTED FOR APPROVAL.

547-38-SM.

APPLICANT—David E. Kennedy, owner.

SUBJECT—Kentile, approval of.

APPEARANCES—

For Applicant: Charles T. Mee.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(547-38-SM)

WHEREAS, David E. Kennedy, Incorporated, owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as Kentile; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 5, 1940.

Re: Cal. No. 547-38-SM.

Subject: Kentile, approval of.

David E. Kennedy, Incorporated, of Brooklyn, New York, filed June 27, 1938, a request for the approval of their asphalt tile known as Kentile under the provisions of C26-178.0 (2.1.2.5) and C26-667.0, sub. 4 (10.9.2.4.).

Kentile is made in thicknesses of $\frac{1}{8}$ in., $\frac{3}{16}$ in. and $\frac{1}{4}$ in. and in sizes varying from 3 in. x 3 in. to 18 in. x 24 in. of varying designs and colors and for general purposes over wood and concrete floors.

Basically, Kentile is composed of asbestos, asphalt, color pigments, fillers and resins. Each color has a definite formula and materials are accordingly proportioned by weight in batches of 400 pounds. Mixing is accomplished in a Banbury machine for a predetermined period and heated by steam, the temperature of which is controlled by an automatic recording thermometer. From the Banbury machine, the batch having been mixed so as to obtain uniformity, it is delivered to a milling machine whose rollers are kept at a uniform temperature by a pyrometer. After milling a rough sheet $\frac{3}{4}$ in. thick is obtained which is put through a sheeter which reduces the thickness to .005 in. greater than the desired thickness. A calendar roll reduces the sheet to the required thickness and renders the surface smooth. The temperatures in the sheeter and calendar rolls are controlled by pyrometers. The processed sheet is then put through a die press and cut to the required size. Periodically, tiles are taken from this die press and checked for thickness, size, color and for compliance with Federal Specification SS-T-306. These same materials are moulded into Flex-O-Base for coves and Kentile Straight Base.

Tests on these materials for compliance with Federal Specification SS-T-306 were made at the Howard Testing Laboratory, Newark, New Jersey, Laboratory No. 104,591, with results as follows:

IDENTIFICATION

Color	Quarry Morocco Egyptian			Required
	Red	Brown	Porphry	
Size	12 x 12	12 x 12	12 x 12	12 x 12
Thickness	.1895	.1852	.1912	.005

INDENTATION

77-F 1 min.	.0115	.0120	.0110	.009—.020
77-F 10 min.	.0156	.0169	.0158	*
115-F 30 secs.	.0190	.0195	.0228	.038 max.
Impact test	sound	sound	sound	O.K.

FLEXTURE

With grain	14.12	13.5	12.25	6.5 lbs. min.
Across grain	13.25	11.0	13.00	6.5 lbs. min.

DEFLECTION

With grain	0.87	1.12	0.75	0.40" min.
Across grain	1.00	.94	0.62	0.40" min.
Curling	none	none	none	0.05" max.

Flammability

Requirement	$\frac{1}{2}$ sec.	0 sec.	0 sec.	30 secs.
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REMARKS

*77-F 10 min. .0168 .0174 .0162

Tests for staining were made by the R. W. Hunt Company, Chicago, Illinois, Report No. H19928-30 with results as follows:

KENTILE FLOORING—MOROCCO BROWN (104)

(called A)—Time of Contact

Tincture of Iodine Stain—Satisfactorily removed with soap and water, five minutes; spot still noted, twenty-spot remains very slightly visible, one week.

Suspension of Hydrated Ferric Oxide—Satisfactorily removed with soap and water, five minutes; satisfactorily removed with soap and water, twenty-four hours; spot remains very slightly visible, one week.

KENTILE FLOORING—MOROCCO BROWN (104)

(called B)—Time of Contact

Tincture of Iodine Stain—Satisfactorily removed with soap and water, five minutes; spot still noted, twenty-four hours; spot quite visible, one week.

Suspension of Hydrated Ferric Oxide—Satisfactorily removed with soap and water, five minutes; satisfactorily removed with soap and water, twenty-four hours; spot remains very slightly visible, one week.

KENTILE FLOORING—QUARRY RED (No. 106)

Time of Contact

Tincture of Iodine Stain—Satisfactorily removed with soap and water, five minutes; spot still noted, twenty-four hours; spot quite visible, one week.

Suspension of Hydrated Ferric Oxide—Satisfactorily removed with soap and water, five minutes; satisfactorily removed with soap and water, twenty-four hours; spot remains barely visible, one week.

A test was made at Columbia University, Report No. 2167, to determine the incombustibility of Flexile, now known as Kentile, but the results of such test indicated that the tile burned with small flames which precludes its acceptance as an incombustible material under C26-88.0 (1.80), Administrative Building Code.

GENERAL

In cementing to concrete floors an approved asphalt emulsion shall be used which is made level by the use of a notched trowel. Below grade of street an asphalt primer shall be used to increase the penetration of the asphalt into the concrete sub-floor. Such primer shall comply with Federal Specification SS-A-701. Where an alkali condition is found on concrete floors, it shall be corrected by neutralizing with a 10 per cent. solution of acetic acid.

When used over wood sub-floors, a 30-pound asphalt saturated felt shall be used, which shall be secured to the sub-floor by linoleum cement so as to relieve the effects of expansion, contraction and movement. The tile shall be secured to the felt with asphalt emulsion.

RECOMMENDATION

On the basis of the foregoing data, the Committee recommends the approval of Kentile under C26-178.0 (2.1.2.5) and C26-667.0, Sub. 4 (10.9.2.4) and under the

MINUTES

rules and regulations of the Tenement House Department as revised June, 1937, and the Supplementary Rules and Regulations of the Tenement House Department effective January 1, 1936, for such uses as are specifically permitted therein and when installed in accordance with the requirements of such rules and as provided herein.

This material is shipped in wire-bound wooden boxes marked with name of the tile and type of floor over which it is to be used, thickness, size and color. In addition to this marking the Committee recommends each such box to be tagged, labeled or stamped, reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 547-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Kentile, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

257-39-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—U.S. Gypsum Company "Red Top" Metal Lath and Lathing Accessories, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(257-39-SM)

WHEREAS, United States Gypsum Company of New York, owner, filed March 1, 1939, an application with the Board of Standards and Appeals for approval of the material known as U.S. Gypsum "Red Top" (also known as Samson) Metal Lath and Lathing Accessories; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 3, 1940.

Re: Cal. No. 257-39-SM.

Subject: U.S. Gypsum "Red Top" (also known as Samson) Metal Lath and Lathing Accessories, approval of.

United States Gypsum Company of New York filed March 1, 1939, an application with the Board of Standards and Appeals for approval of materials (hereinafter referred to) under the provisions of Sections C26-191.0 (2.2.3), C26-459.0 (8.4.10.3), C26-460.0 (8.4.10.4), and C26-461.0 (8.4.10.5), Administrative Building Code.

These materials are manufactured at applicant's plant in Warren, Ohio. Diamond mesh lath products (which include Junior and Mahoning Mesh) are produced on a rotary type lath machine in which steel strips of such gauge as necessitated by the required weight of the finished material, 8 in. wide x 113½ in. long cut from an

original steel sheet 32¾ in. wide x 113½ in. long, are fed into a pair of rotary cutters, which cut small slits longitudinally through the strip. The slitted strips, leaving the rotary cutters, are next engaged by chains which expand the slitted strip at an angle of approximately 45 degrees from horizontal. This expanding process expands the original blank to either 24 in. or 27 in. and at the same time pulls in the original length to approximately 101 in.

The result of this expansion process is a full lath sheet of uniform diamond shaped openings. A series of leveling rolls press out any buckles or curls that may have occurred in the expanding process and each sheet is then dropped onto an automatic shearing table which square trims each end and assures a uniform 99 in. length. After assembly into bundles, weight identification tags are attached and the individual bundles transported to the paint room where they are dipped into a solution of black asphaltum paint. The bundles are then dried and type identification tags attached, after which they are put in storage, ready for shipment. The same general methods are pursued in manufacturing the other types of lath hereinafter referred to, with variations for the particular type.

The United States Gypsum Company has filed with its application "A Summary of the Standards and Process of Manufacturing" of its products which summary is made a part of this report and incorporated herein by reference.

Samples of metal lath were selected from stock in the Long Island City warehouse of the company, measured, weighed and gauged by John F. Fitzsimons, Engineer of the Board, and the results are set forth herein:

Material	Regular	Actual	Gauge
	Weight	Weight	
	p.s.y.	p.s.y.	
2.2 lb. Junior Diamond Mesh— Painted	—	2.10	28
2.5 lb. Junior Diamond Mesh— Painted	—	2.40	25
Galvanized	—	2.35	25
2.2 lb. Mahoning—Painted ...	—	2.14	26
2.5 lb. Mahoning—Galvanized	—	2.40	26
2.75 lb. ⅛ in. Z Rib—Painted	—	2.74	28
2.75 lb. 4 mesh Z Rib—Painted	—	2.76	28
Cornerite—A Diamond Mesh Angle—Painted	—	2.00	26
Striplath—A Diamond Mesh Metal Lath	—	2.00	26

Approval of the foregoing materials is requested under Section C26-458.0 (8.4.10.2) for use wherever combustible lath may be used:

Material	Regular	Actual	Gauge
	Weight	Weight	
	p.s.y.	p.s.y.	
3.0 lb. Junior Diamond Mesh— 2.5 lb. Junior Diamond Mesh— Painted—5/16" wide mesh	3.0	3.0	22
3.4 lb. Junior Diamond Mesh— Painted	3.0	3.375	23
3.4 lb. Junior Diamond (cop- per-bearing)	3.0	3.40	22
3.0 lb. Mahoning Mesh— Painted—¾" wide mesh ..	3.0	2.975	24
3.4 lb. Mahoning Mesh— Painted	3.0	3.50	24
3.0 lb. ⅛ in. Z Rib—Painted	3.0	3.09	28
3.4 lb. ⅛ in. Z Rib—Painted	3.0	3.50	28
3.0 lb. ¾ in. Z Rib—Painted	3.0	3.00	24
3.4 lb. ¾ in. Z Rib—Painted	3.0	3.375	24
4.0 lb. ¾ in. Z Rib—Painted	3.0	4.0	23
3.0 lb. 4 mesh Z Rib—Painted	3.0	3.075	22
3.4 lb. 4 mesh Z Rib—Painted	3.0	3.45	22
3.4 lb. Junior Diamond Mesh— Galvanized	3.0	3.75	22

MINUTES

3.4 lb. Mahoning Mesh— Galvanized	3.0	3.3	23
3.4 lb. 1/8 in. Z Rib—Gal- vanized	3.0	3.36	28
3.4 lb. 3/8 in. Z Rib—Gal- vanized	3.0	3.625	23
Metal Arches (Pat. 1782147) —Galvanized	—	4.5	26
No. 1A—Expanded Corner Bead—Galvanized	—	4.0	26
No. 4A—Standard Corner Bead—Galvanized	—	8.0	26
No. 4A—Flexible Corner Bead —Galvanized	—	6.17	24
No. 5A—Bullnose Corner Bead—Galvanized	—	6.50	26
No. 6A—Plain Base Ground— Galvanized	—	6.50	26
No. 7A—Curved Point Base Screed—Galvanized	—	6.30	26
No. 8A—Picture Mould—Gal- vanized	—	6.48	26
No. 12A—Wide Flange Bead— Galvanized	—	6.10	26

Approval of the above listed materials is requested under Sections C26-459.0 (8.4.10.3) and C26-460.0 (8.4.10.4).

The following hangers and purlins were submitted for approval under Section C26-461.0 (8.4.10.5):

1 in. x 3/16 in. hot-rolled flats, painted, used for hangers.

1 1/2 in. x 1 1/2 in. x 1/8 in. hot-rolled angles, painted, used for purlins.

1 1/2 in. x 1/2 in. hot-rolled channels, painted, used for purlins—1.03 lb. per ft.

The following accessories were also submitted for approval under the provisions of Section C26-191.0 (2.2.3):

Galvanized soft annealed-tie-wire	18 gauge
Clips No. 100, to secure purlins, painted ..	18 gauge
Clips No. 400, for use with metal studs, painted	19 gauge
Clips No. 500, for use with metal studs, painted	19 gauge

These clips are modified forms of those approved under Cal. No. 485-39-SM for resilient construction with Rocklath and are intended to be used with metal lath products of the United States Gypsum Company. A full description of the clips and methods of attachment is found in catalogue "Red Top Metal Lath Resilient System" filed herein.

RECOMMENDATION

On the basis of the foregoing data, the Committee recommends the approval of U.S. Gypsum "Red Top" (also known as Samson) Lath and Accessories, as follows:

Lath weighing *less than* 3.0 lbs. per sq. yd. be approved for use as a substitute for combustible lath under C26-458.0 (8.4.10.2). Such lath, however, shall weigh *not less than* 2.5 lbs. per sq. yd.

Lath weighing 3.0 lbs. per sq. yd. or over be approved for use as metal lath (incombustible) under C26-459.0 (8.4.10.3) and C26-460.0 (8.4.10.4) when installed in accordance with the requirements thereof.

Hangers and purlins, for use with suspended ceilings, of the specifications provided herein be approved under C26-461.0 (8.4.10.5) when installed in accordance with the requirements thereof.

All accessories listed herein be approved, when installed with the requirements of the Administrative Building Code, under C26-191.0 (2.2.3).

It is further recommended that the use of these materials be limited to the specific uses permitted for each type of lath and that it be applied as provided for in the

pertinent provisions of the Administrative Building Code. In cases where no specific requirements exist, the material may be installed in accordance with the manufacturer's specification.

It is further recommended that all material herein shall be manufactured and applied as provided for herein, except that lath weight shall be permitted a tolerance of 5 per cent.

Each bundle or container shall be labeled or stamped reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 257-39-SM." Where the lath weight is less than 3.0 lbs. per sq. yd. such lath shall bear additional wording reading as follows: "This metal lath may only be used where combustible lath is permitted." It is not intended, however, that the prohibitions of C26-458.0 a, b (8.4.10.2) a, b, apply to lath weighing less than 3.0 lbs. per sq. yd. as herein recommended for approval. The installation of such lath, however, shall comply with all the requirements of the Code for metal lath as provided in C26-459.0 (8.4.10.3).

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as U.S. Gypsum "Red Top" (also known as Samson) Metal Lath and Lathing Accessories, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 4:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on November 18, 1939, as they appeared in Bulletin No. 46, No. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1329-39-SM)

WHEREAS, The Uvalde Rock Asphalt Company, owner, filed October 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Azrock Carpet Tile, Types W and C; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 4, 1939.

Re: Cal. No. 1329-39-SM.

Subject: Azrock Carpet Tiles, Types W and C, approval of.

The Uvalde Rock Asphalt Company, of San Antonio, Texas, filed on October 27, 1939, a request for the approval of their asphalt tile known as "Azrock Carpet Tile", under the provisions of C-26-178.0 (2.1.2.5) and C-26-667.0, Sub. 4 (10.9.2.4).

Azrock Carpet Tile, Type C (for concrete floors) and Type W (for wood floors) is made in sizes 1/8", 3/16" and 1/4" in thickness and vary in designs and colors. The difference in Type C used on concrete

MINUTES

floors and Type W for use over wood floors is in the fillers, the latter having fillers of higher tensile strength and slightly longer, both fillers, however, being of cotton and asbestos.

In the manufacture of these tiles, Limestone Rock Asphalt and Gilsonite are the basic materials. To these materials are added filler as before mentioned with pigments to procure desired colors. The tiles are formed by first mixing thoroughly in a Banbury Mixer, after which they pass through a series of rolls which produce the desired thickness, after which it is cut to the required shape.

For cementing to concrete floors, an approved asphalt emulsion is used which becomes tacky in from twenty to forty minutes and this is made level by use of a notched trowel. Below grade of street, an asphalt primer is used so as to increase the penetration of the asphalt into the concrete sub-floor. Such primer shall comply with Federal Specification SS-A-701. Where an alkali condition exists on the concrete floors, it is corrected by neutralizing with a 10% solution of acetic acid.

When used over wood sub-floors, a thirty-pound asphalt saturated felt is secured to the sub-floor by a linoleum cement, which relieves the tile of irregular movements caused by expanding and contracting wood sub-floors. An emulsion as described above for concrete floors is then applied.

Tests on this material were performed by Columbia University, Report No. 2450. On a concrete slab thirty-six samples of 9" x 9" x 3/16" tile were laid and tests conducted on same to observe its behavior when exposed to fire, resistance to alkali and to its resistance to staining and penetration to aqueous solutions. Results of fire tests conducted for a period of forty minutes, indicated the tile to be softened over an area of 16 inches in diameter, with charring over an area of 10" x 14", with flaming over an area of 9" x 6", ceasing twelve minutes after test started and with no flaming thereafter.

The Alkali test indicated a slight softening of the tile, which later hardened after drying. When a solution of saturated alkaline blue was applied to the surface, it resulted in a slight stain on the surface with no penetration.

Existing installations of "Azrock Carpet Tile" in use over a period of nine years show no warping, shrinkage, staining or distintegration.

On the basis of the foregoing data, the Committee recommends the approval of the Azrock Carpet Tile, Type W and C, under C-26-178.0 (2.1.2.5) and C-26-667.0, Sub. 4 (10.9.2.4) and under the rules and regulations of the Tenement House Department as revised June, 1937, and the Supplementary Rules and Regulations of the Tenement House Department effective January 1, 1936, for such uses as are specifically permitted therein and when installed in accordance with the requirements of such rules and as provided herein.

This material is shipped in wire-bound wooden boxes marked with name of the tile and type of floor over which it is to be used, thickness, size and color. In addition to this marking the Committee recommends each such box to be tagged, labeled or stamped, reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1329-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Azrock Carpet Tile, Types W and C, *on condition* that the material be manufactured, used and labeled, stamped or tagged in accordance with above report.

* Correction—The word "sustaining" changed to "staining" in line 55 of resolution and the words "as a substitute material to linoleum and rubber floor covering as provided in Article 4, when installed in accordance with the requirements therein; and as provided for herein" deleted in lines 75 to 78, inclusive, and the words "*and the Supplementary Rules and Regulations of the Tenement House Department effective January 1, 1936, for such uses as are specifically permitted therein and when installed in accordance with the requirements of such rules and as provided herein*", inserted therefor.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, AUGUST 2, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(584-39-SR)

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph c, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1 The intent of these rules is to provide a basis for the use of blended cements other than Portland Cement. Subject to the restrictions in the approval of the Board as to each brand, such blended cements may be used as substitutes for Portland Cement on an equivalent weight basis where Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, which shall be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plaster-cizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods

outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C 158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 3 and 28 days shall be higher than that at 7 and 21 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration application shall be made to the board for additional tests to develop these properties.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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The Hearing Calendar.

Minutes of Regular Meeting October 15, 1940, at 10 A. M., Affecting Calendar Numbers 330-22-BZ, 351-40-BZ, 271-39-BZ, 855-27-BZ, 255-40-BZ, 207-33-BZ, 110-37-BZ, 179-37-BZ, 950-39-BZ, 1172-39-BZ, 1220-39-BZ, 1232-39-BZ, 1490-39-BZ, 38-40-BZ, 529-40-BZ, 617-40-BZ, 631-40-BZ and 602-40-A.

Minutes of Regular Meeting October 15, 1940, at 2 P. M., Affecting Calendar Numbers 390-27-BZ, 1613-17-BZ, 116-35-BZ, 261-36-BZ, 330-36-BZ, 247-37-BZ, 389-28-BZ, 696-39-A, 697-39-A, 1517-39-A, 887-40-A, 882-40-A, 941-40-A-WF, 394-40-A, 896-40-A, 935-40-A, 947-40-A, 971-40-A, 980-40-A, 987-40-A, 867-40-A, 868-40-A, 869-40-A, 870-40-A, 871-40-A, 811-40-S, 977-39-SM, 978-39-SM, 663-40-SM, 213-40-SM, 491-40-SM and 492-40-SM.

Correction Affecting Calendar Number 738-38-BZ.

Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Rules for Inspection of Opening Protective Assemblies.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 15, 1940.

Cal. No. Department. Premises Affected.

982-40-A.....H.B.Q.....77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens, N.B. 5283-40.

983-40-BZ....H.B.B.....413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn, B.N. 1328-40.

984-40-A.....H.B.M....135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan, Misc. Applic. 658-40.

985-40-SM.....Gold Bond Acoustical Products, (Econocoustic, Acoustex, Travacoustic, Acoustimetal and Perforated Asbestos Panels), manufactured by National Gypsum Company, Material.

986-40-BZ....H.B.B.....2201-2207 Surf avenue and 2962-2970 West 22nd street, northwest corner (Block No. 7057, Lot No. 35), Borough of Brooklyn, B.N. 1210-40.

987-40-A.....H.B.M....215-221 West 82nd street, northeast corner of Broadway (Block No. 1230, Lot No. 14), Borough of Manhattan, Decision.

988-40-BZ....H.B.Bx....3743-3751 Boston road, northwest corner of Edson avenue (Block No. 4893, Lot Nos. 1 and 4), Borough of The Bronx, N.B. 662-40.

989-40-SM.....Silicair Duct Sheeting, manufactured by Western Silicair Products, Incorporated, Material.

990-40-BZ....H.B.B.....6518-6524 Fort Hamilton parkway, 913-929 66th street, northwest corner, and 912-922 65th street (Block No. 5750 Lot Nos. 13 and 26), Borough of Brooklyn, Alt. 4796-40.

991-40-BZ....H.B.R.....1208 Richmond avenue, west side 400 ft. south of Lisk avenue (Buildings A, B and C) (Block No. 1660, Lot No. 1) Graniteville, Borough of Richmond, N.B. 377-40, N.B. 405-40 and N.B. 406-40

992-40-A.....F.D.....522 East 133rd street, south side 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx, 23484-L.C.

993-40-SM.....Formica 1/16 Inch (Flameproof Decorative Sheets), manufactured by Formica Insulation Company, Material

994-40-A.....H.B.B.....34-40 Varick street, east side, 10 ft. 8½ in. south of Bridge water street (Block No. 266, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn, Alt. 2221-40 to Alt. 2227-40 inclusive

995-40-SM.....Water-Tite Building Block, manufactured by Joseph J. Hauser, Material

996-40-A.....H.B.B.....627-637 86th street, north side 214 ft. 7 in. east of Fort Hamilton avenue (Block No. 603, Lot Nos. 96, 99, 100 and 101), Borough of Brooklyn, B.N. 1172-40

997-40-SM.....Hardwood Products Corporation Fire-Resistive Wood Doors, manufactured by Hardwood Products Corporation, Material

998-40-BZ....H.B.B.....1325-1333 56th street, north side 21 ft. ¾ in. east of New Utrecht avenue (Block No. 5684, Lot No. 69), Borough of Brooklyn, B.N. 1211-40

999-40-A.....H.B.B.....400 Fifth avenue, west side, 6 ft. 6 in. north of 7th street (Block No. 993, Lot No. 41), Borough of Brooklyn, Decision—re Alt. 4633-40 and Certificate of Occupancy No. 81226-40

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1000-40-BZ....H.B.Bx....2337 Grand Concourse and 164
Field place, southwest corner
(Block No. 3164, Lot No. 19),
Borough of The Bronx,
Alt. 199-40.

Restored to Calendar.

390-27-BZ....H.B.Q.....73-42 Cooper avenue, south side,
22.22 ft. west of 74th street
(Block No. 3811, Lot No. 8),
Glendale, Borough of Queens,
N.B. 10096-39.

271-39-BZ....H.B.Q.....96-23 to 96-29 Queens boulevard,
northeast corner of 63rd road
(Block No. 2088, Lot No.
22), Elmhurst, Borough of
Queens, N.B. 9029-38

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of.....Oct.	15, 1940—Vol. 25, No. 42
Carbon Dioxide Liquefier Rules.....Oct.	8, 1940—Vol. 25, No. 41
Certificates of Occupancy, approved form.....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of.....Aug.	27, 1940—Vol. 25, No. 35
Concrete Rules (Hydrated Lime).....Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules.....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Aug.	13, 1940—Vol. 25, No. 33
Fire Alarm Rules (Interior).....Aug.	13, 1940—Vol. 25, No. 33
Fire Drill Rules.....Sept.	17, 1940—Vol. 25, No. 38
Fire-resistive, Flameproof Materials, etc., Rules for Testing of.....Oct.	22, 1940—Vol. 25, No. 43
Fire Retarding Rules for Garages, etc.....Aug.	20, 1940—Vol. 25, No. 34
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules.....Aug.	20, 1940—Vol. 25, No. 34
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection.....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....Sept.	24, 1940—Vol. 25, No. 39
Oil Burner Rules.....Sept.	3, 1940—Vol. 25, No. 36
Opening Protective Assemblies, Rules for Inspection of.....Oct.	22, 1940—Vol. 25, No. 43
Paint, Varnish and Lacquer Spray- ing Rules.....Sept.	10, 1940—Vol. 25, No. 37
Platform Trucks, Specifications for Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules.....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply).....Sept.	10, 1940—Vol. 25, No. 37
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.Oct.	8, 1940—Vol. 25, No. 41
Smoking in Factories, Rules for.....Oct.	8, 1940—Vol. 25, No. 41
Sprinkler Rules.....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Mar.	5, 1935—Vol. 20, No. 10
Fuel Oil Burners for Domestic and Commercial Use.....Sept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pipe Terminals.....Sept.	10, 1940—Vol. 25, No. 37
Fuel Oil Burners for Industrial Use.....Sept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pumps.....Sept.	3, 1940—Vol. 25, No. 36
Gas Heaters.....Sept.	3, 1940—Vol. 25, No. 36
Paint, Varnish and Lacquer Spray- ing Equipment.....Sept.	10, 1940—Vol. 25, No. 37
Range Oil Burners and Space Heaters.....Sept.	3, 1940—Vol. 25, No. 36
Vacuum Breakers.....Sept.	10, 1940—Vol. 25, No. 37

OCTOBER 22, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, October*
22, 1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 336-40-BZ—Application, April 3, 1940, under sec-
tions 7f and 21 of the building zone
resolution, of Samuels and Samuels, ap-
plicants, on behalf of William J. Hamil-
ton, owner, to permit in a business use
district the erection and maintenance of
a gasoline service station; premises 40-13
to 40-19 Junction boulevard, east side,
50.04 ft. north of 40th road (Block No.
1605, Lot No. 64). Corona, Borough of
Queens.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, ap-
plicant, on behalf of Abraham Chobroff
and Sophie Kohn, owners of premises
1924-1926 Kings highway, Borough of
Brooklyn, reopened September 17, 1940,
for consideration—re amendment of
resolution—re Application, previously
granted on condition under section 21 of
the building zone resolution, permitting
in a residence use district the erection
and maintenance of buildings to be used
for store purposes on first story and
for dwelling use above; premises 1922-
1932 Kings highway (Block No. 6782,
Lot Nos. 19 to 23, inclusive), Borough
of Brooklyn.

CAL. NO. 431-40-BZ—Application, April 24, 1940, under sec-
tions 7c and 21 of the building zone
resolution, of Arthur H. Haaren, appli-
cant, on behalf of George L. Lawson
and Estate of William W. Lawrence
(J. Y. Brown, A. A. Gulick and C. P.
Williamson, trustees), owners (Kesbec,
Incorporated, lessee), to permit in a
business use district the parking and
storage of more than five (5) motor
vehicles on a plot occupied in part as a
gasoline service station; premises 317-
325 West 59th street, north side, 186 ft.
west of Columbus Circle (Block No.
1112, Lot Nos. 15, 115, 16 and 17).
Borough of Manhattan.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dis-
missed for lack of prosecution July 18,
1939; reopened and restored to Calendar
September 17, 1940, under section 7f of
the building zone resolution, of Lama

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and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 605-40-BZ—Application, June 6, 1940, under sections 7c and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of City of New York and Brick's Service Stations, Incorporated, owners, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South Fourth street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

CAL. NO. 332-40-BZ—Application, April 2, 1940, under section 21 of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Harry Bram, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2747-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

CAL. NO. 633-40-BZ—Application, June 12, 1940, under sections 7f, 7i and 21 of the building zone resolution, of A. Paul Loshen, applicant, on behalf of Minnie Weinstein, owner, to permit in a business use district the erection and maintenance of a

gasoline service station and motor vehicle repair shop; premises 195-05 Linden boulevard, northeast corner of 195th street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens.

CAL. NO. 88-36-BZ—Application of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner, reopened May 28, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles; premises 3170-3178 Broadway and 28-34 Tiemann place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.

CAL. NO. 928-40-BZ—Application, September 23, 1940, under section 7a of the building zone resolution, of The Finkel Umbrella Frame Company, Incorporated, applicant and owner, to permit in a residence use district, on a plot partly in a residence use district and partly in a business use district, the extension of an existing factory building; premises 890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx.

CAL. NO. 748-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an administration building for use in connection with a sewage disposal plant; premises southwest end of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 749-40-BZ—Application, July 8, 1940, under section 21 of the building zone resolution, of Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of a pumping station to be used in connection with a sewage disposal plant; premises southeast part of Hart Island, opposite Schofield street, City Island, Borough of The Bronx.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard.

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vard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

Appeal from Administrative Decision.

554-40-A—2146 Gerritsen avenue, west side, 280 ft. north of Avenue "U" (Block No. 7341, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 22, 1940, 2 P. M.

Appeals from Administrative Decisions.

597-40-A—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

910-40-A—135-60 108th street, west side, between Peconic street and 135th avenue and in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block), Aqueduct, Borough of Queens (Aqueduct Race Track); (under section 35, General City Law, re Bed of Mapped Street).

887-40-A—47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan.

1517-39-A—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 22, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 919-40-BZ—Application, September 17, 1940, under section 7j of the building zone resolution, of George A. Boehm, applicant, on behalf of Victor Moore and Broadway-75th Street Corporation, owners, to permit in a business use district the erection of a business building to be occupied in part as a bus station; premises 74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

CAL. NO. 953-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Electus D. Litchfield, applicant, on behalf of Fairchild Aviation Corporation, owner, to permit the erection of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district; premises 134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard (Block No. 9342, (236), Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 29, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 29, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7f of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, ap-

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plicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47). Borough of Brooklyn.

CAL. NO. 1289-39-BZ—Application, October 17, 1939, under sections 21 and 7h of the building zone resolution, of Charles Gomes, applicant and lessee, on behalf of Port of New York Authority, owner, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

CAL. NO. 124-36-BZ—Application of J. Jacques Stone, applicant, on behalf of Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee), reopened and restored to Calendar September 17, 1940, under section 7h of the building zone resolution, to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 347-40-BZ—Application of Thomas W. Lamb, Incorporated, applicant, on behalf of Bowery Savings Bank, owner, reopened September 10, 1940, under sections 7h and 21 of the building zone resolution, to permit in a business use district the maintenance, on a portion of the premises, for the parking and storage of more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 991-40-BZ—Application, October 11, 1940, under section 7a of the building zone resolution, of Herbert S. Thomson, applicant,

on behalf of Unexcelled Manufacturing Company, owner, to permit in a residence use district the erection of three (3) business buildings to be used in conjunction with an existing plant for the manufacture of pyrotechnics; premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Buildings A, B and C); (Block No. 1660, Lot No. 1), Graniteville, Borough of Richmond.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

CAL. NO. 544-40-BZ—Application, May 20, 1940, under sections 21 and 7c of the building zone resolution, of Morris Perlstein, applicant, on behalf of Coney Island Soda Water Corporation, owner, to permit partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 281 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

CAL. NO. 471-40-BZ—Application, May 6, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicle

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accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

Appeals from Administrative Decisions.

CAL. NO. 917-40-A-MD—Application, September 16, 1940, under section 60 of the Multiple Dwelling Law, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

Bank of the City of New York, owner, reopened April 9, 1940, under section 21 of the building zone resolution, to permit the further extension into a residence use district of a business building (stores) previously granted by the Board; premises 2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company, owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

623-40-A—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 29, 1940, 2 P. M.

Appeals from Administrative Decisions.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

65-39-A—512-522 East 152nd street, 601-605 Brook avenue, southwest corner, and 455-459 Westchester avenue, north side, 82 ft. 8½ in. west of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

805-40-A—150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 14), Borough of Brooklyn.

NOVEMBER 6, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 494-40-BZ—Application, May 8, 1940, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Johanna C. Funke,

CAL. NO. 372-29-BZ—Application of John F. Meehan, applicant, on behalf of Dollar Savings

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owner, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation, owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

CAL. NO. 342-40-BZ—Application, April 4, 1940, under sections 7h and 21 of the building zone resolution, of Emil Levin, applicant, on behalf of Salvin Realty Company, Incorporated, and Emile E. Rathgeber, owners (S. Amaru, lessee), to permit in a business use district and residence use district the parking and storage of more than five (5) motor vehicles; premises 31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-18 43rd street, west side, 157.5 ft. south of 31st avenue (Block No. 692, Lot Nos. 36, 37 and 51), Astoria, Borough of Queens.

CAL. NO. 860-40-BZ—Application, August 16, 1940, under sections 21 and 7f of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Fairtown Construction Corporation, owner, to permit in a business use, "D" and "E" area district the erection of a business building covering a greater area of that portion of the plot within the "E" area district than permitted, to permit the omission of the required setback within the "E" area district and to use a portion of the building as a garage for more than five (5) motor vehicles; premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens.

Appeal from Administrative Decision.

982-40-A—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 6, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 6, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeal from Administrative Decision.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1940, 2 P. M.

Appeals from Administrative Decisions.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Lourve Garage Corporation, lessee), to permit partly in a business use district and partly in a residence use district, for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jeron Avenue Corporation, owner, reopened October 8, 1940, for consideration as extension of permit—re Application previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a tem-

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porary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 19, 1940, 2 P. M.

Appeal from Administrative Decision.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

DECEMBER 10, 1940, 2 P. M.

Appeal from Administrative Decision.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, OCTOBER 15, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, October 1, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, October 1, 1940, were approved as printed in Bulletin No. 41, Vol. 25.

BUILDING ZONE CASES.

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Application reopened June 4, 1940 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17 (a) of the building zone resolution.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Benjamin Schlanger, George A. Marshall and Maurice A. Schull.

For Opposition: Maurice A. Lieberman, A. J. Burns, Benjamin Schulman and Lawrence Guion.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., for applicant to have License Commissioner's approval withdrawn.

351-40-BZ.

APPLICANT—William F. Regan (applicant), for William F. Regan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph T. Kearney, William F. Regan (applicant) and William F. Regan (owner).

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M. Applicant to send out notices by regular mail by November 8th.

271-39-BZ.

APPLICANT—A. C. Benson, for Socony-Vacuum Oil Company, Incorporated, owner.

SUBJECT—Application for consideration in view of Court order, under section 7c (as amended) of the building zone resolution (re decision of the borough superintendent of buildings), to permit in a business use district the erection of a new building and the extension of an existing gasoline service station (previously granted on condition by the Board under sections 7c and 21 of the building zone resolution; Board's decision annulled by the Court).

PREMISES AFFECTED—96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road), (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: A. C. Benson.

For Opposition: Leslie Kirsch.

ACTION OF BOARD—Application reopened, subject to usual procedure.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

855-27-BZ.

APPLICANT—Shell Oil Company, Incorporated (lessee),
for Anna C. Bingler, owner.

SUBJECT—Application reopened for rehearing under new
facts December 5, 1939 (re decision of the borough
superintendent of buildings), under section 21 of the
building zone resolution, to permit in a business use
district the maintenance and reconstruction of a
gasoline service station (previously denied).

PREMISES AFFECTED—216-03 Merrick road, northeast
corner of Springfield boulevard (Block No. 3541,
Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: George Levy.
For Opposition: None.

ACTION OF BOARD—Application withdrawn without
argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

255-40-BZ.

APPLICANT—Samuels and Samuels, for Benlem Realty
Corporation, owner.

SUBJECT—Application (re decision of the borough super-
intendent of buildings), under section 21 of the
building zone resolution, to permit in a business use
district the erection and maintenance of a gasoline
service station.

PREMISES AFFECTED—81-01 to 81-11 Rockaway boule-
vard, 94-01 to 94-07 81st street, northeast corner,
and 81-02 to 81-10 Atlantic avenue, southeast corner
of 81st street (Block No. 9009, Lot No. 1), Wood-
haven, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.
for Opposition: Ruth Hofer.
Amicus Curiae: Harold Klorfein, Department of
Parks.

ACTION OF BOARD—Application withdrawn without
prejudice of applicant requesting reopening after
completion of Atlantic avenue improvement.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

207-33-BZ.

APPLICANT—Samuel J. Ziegler, for City Bank Farmers
Trust Company (trustee), for Georgie McDonald
Phillips, owner.

SUBJECT—Application reopened and restored to Calendar
May 21, 1940 (re decision of the borough superin-
tendent of buildings), under section 21 of the build-
ing zone resolution, to permit in a business use dis-
trict the erection and maintenance of an automobile
showroom, a gasoline service station and, also, the
parking and storage of more than five (5) motor
vehicles (previously dismissed for lack of prosecu-
tion).

PREMISES AFFECTED—3090-3094 Webster avenue and
401-409 East 203rd street, southeast corner (Block
No. 3330, Lot Nos. 65, 66 and 67), Borough of The
Bronx.

APPEARANCES—

For Applicant: Herman J. Maurer and Samuel J.
Ziegler.

For Opposition: Earl I. Gallant, H. J. Herze, Wil-
liam Osborn, Selig Riemland, David Baum and
Samuel Anhouse.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(207-33-BZ)

WHEREAS, this application, under section 7h of the build-
ing zone resolution, to permit in a business use district, for
a temporary period of not more than two (2) years, the
parking and storage of more than five (5) motor vehicles,
premises 3090-3094 Webster avenue and 401-409 East 203rd
street, southeast corner (Block No. 3330, Lot Nos. 65, 66
and 67), Borough of The Bronx, was granted by the Board
May 18, 1937, on certain conditions; and

WHEREAS, the term of the permit subsequently expired by
limitation; and

WHEREAS, Jeremiah A. Houlihan, for O'Brien Building
Company, Incorporated, owner, requested a reopening of the
application to permit in a business use district, under section
7h of the building zone resolution, the parking of more than
five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the
Board on July 18, 1939; and

WHEREAS, the applicant failed to complete the papers in
the case although duly notified to do so, such application was
dismissed by the Board February 27, 1940, for lack of prose-
cution; and

WHEREAS, Samuel J. Ziegler, for City Bank Farmers
Trust Company (trustee), for George McDonald Phillips,
owner, requested a reopening of the application, under section
21 of the building zone resolution, to permit in a business
use district the erection and maintenance of a gasoline service
station, automobile showroom, and the parking and storage
of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the
Board May 21, 1940; and

WHEREAS, a public hearing was held on this application
by the Board of Standards and Appeals at its regular meet-
ing, October 15, 1940, after due notice by publication in the
Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building
zone resolution show that Webster avenue is in unrestricted
and business use districts; Decatur avenue is in a residence
use district; and

WHEREAS, the decision of the borough superintendent of
buildings, on New Building Application No. 329-40, dated
May 13, 1940, reads:

"1. The proposed occupancy of premises as automo-
bile show room, gasoline service station and storage
and parking for more than five (5) motor vehicles, in a
business use district, is contrary to Section 4 of the
Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground 75 ft.
by 100 ft. in area, now vacant, upon which it is proposed to
erect a one-story, non-fireproof building, 75 ft. by 24 ft. and
49 ft., irregular, in area, to be occupied as automobile show-
room, gasoline service station, and for the parking and stor-
age for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were
inspected by a committee of the Board; and

WHEREAS, the Board deemed that applicant failed to sub-

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stantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 329-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

110-37-BZ.

APPLICANT—Arnold W. Lederer, for Putnam Theatrical Corporation, owner (Joseph Stoy, lessee).

SUBJECT—Application reopened and restored to Calendar September 24, 1940 (re decision of the borough superintendent of buildings), under sections 7h, 7f and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—345-349 9th street, north side, 240 ft. west of Sixth avenue, and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57, 58, 59, 28 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jerome N. Wanshel and Joseph Stoy.

For Opposition: John A. O'Melia, Marie Sager, Amando C. Tedsten, Keenan Morrow, Peter Pilote and Christine Rose.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(110-37-BZ)

WHEREAS, this application to permit in a business use district, under section 7h of the building zone resolution, the parking of more than five (5) motor vehicles, premises 345-349 9th street, north side, 240 ft. west of Sixth avenue (Block No. 1005, Lot Nos. 31 to 36, inclusive, and 57, 58 and 59), Borough of Brooklyn, was dismissed by the Board December 14, 1937, for lack of prosecution; and

WHEREAS, Arnold W. Lederer, for Putnam Theatrical Corporation, owner, requested on September 6, 1940, a reopening of the application to permit in a business and residence use district, under sections 7h, 7f and 21 of the building zone resolution, the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board September 24, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 9th street and Fifth avenue are in business use districts; 8th street is in a residence use district; Sixth avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 1583-40, dated September 13, 1940, reads:

"Proposed parking and storing of more than 5 cars within a business and residential use district is contrary to Art. 2, Sect. 4a-15 and Art. 2, Sect. 3 of the Zone resolutions. Denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 82 ft. 1 in. on 9th street, 197 ft. 5 in. on 8th street and a depth of 180 ft., upon which there exists a one-story building occupied as a lunch wagon and a one-story frame office building 8 ft. by 8 ft. in area; it is proposed to occupy this site for the parking and storage of more than

five (5) motor vehicles for a temporary period of not more than two (2) years; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision h thereof, to permit, for a term of two (2) years, the plot under appeal to be occupied for parking and storage of more than five (5) motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of 9th street; that the entrance to the plot shall be solely from 9th street; that the curb cut thereto shall not exceed 15 ft.; that there shall be no entrance to 8th street; that there shall be erected along the street building line of 8th street a new, substantial, solid-board fence, not less than 10 ft. in height above the grade of 8th street; that such fence shall be kept in proper repair at all times and painted, and that there shall be no entrance or openings through the same; that no signs shall be placed on the fence, either on the 8th street side or toward the lot; that during the term of this permit the premises shall be occupied for no other use except as herein permitted and the existing lunch wagon; that no building shall be erected thereon, other than the existing lunch wagon and a building as a shelter for the attendant; that such building may be of frame and shall not exceed 100 ft. in area and one story in height; that toilet facilities shall be available immediately on the plot; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that no signs shall be erected on the premises or on adjoining buildings under the same ownership, except there may be a sign at the 9th street entrance advertising solely the parking use herein permitted, provided such sign does not exceed 15 sq. ft. in area and shall not extend beyond the building line; that all existing signs other than the existing sign for the lunch wagon and not complying with the requirements herein shall be removed; that proper aisles shall be maintained at all times for parking, and spaces not less than 18 in. between alternate rows shall be maintained for easy access to individual cars; that on the interior lot lines, where unpunctured walls of adjoining buildings do not occur, there shall be erected a substantial woven-wire fence with steel posts or a wall not less than 6 ft. in height; that any lighting furnished shall be restricted to lights on pipe standards with metal reflectors so located as to reflect away from the residential occupancy on 8th street; that the shrubbery in front of lunch wagon shall be maintained; that the space between the fence on 8th street and the curb shall be kept clean at all times and all rubbish removed, and any grass or weeds kept cut, and that all permits shall be obtained and all work shall be completed within six (6) months from the date of this action.

179-37-BZ.

APPLICANT—Irving M. Fenichel, for Louis M. Brann, owner (New Method Service Company, Incorporated, lessee).

SUBJECT—Application reopened September 24, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the operation of a clothes-cleaning unit as an accessory use to the laundry business conducted therein (erection and maintenance of a garage for more than five (5) motor vehicles previously granted by the Board).

PREMISES AFFECTED—461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel.

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For Opposition: None.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(179-37-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles, premises 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond, was granted by the Board July 9, 1937, on certain conditions, the resolution amended March 8, 1938; and

WHEREAS, Irving M. Fenichel, for Louis M. Brann, owner (New Method Service Company, Incorporated, lessee), requested on September 19, 1940, a reopening of the application to permit in a business use district, under section 21 of the building zone resolution, the operation of a clothes-cleaning unit as an accessory to the laundry business conducted therein; and

WHEREAS, this application was reopened by vote of the Board September 24, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay street, Baltic street and William street are in business use districts; Staten Island Rapid Transit right-of-way (and easterly) is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. 312-40, dated October 14, 1940, reads:

"Your application filed on B.N. 312-40 to use dry cleaning as an accessory use in above laundry was disapproved for the reason that such use was not included in resolution of Board of Standards and Appeals on case 179-37-BZ."

and

WHEREAS, the premises consist of a plot with a frontage of 100 ft. 7 in. on Bay street and a depth of 142 ft. 11 in., on which it is proposed to erect a clothes-cleaning unit in conjunction with a garage previously granted by the Board; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on July 9, 1937, as amended by resolution adopted by the Board on March 8, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 21 thereof, to permit the plot under appeal to be developed by the erection of a two-story business and garage building, as indicated on plans filed with this application marked 'Received December 21, 1937', on condition that the garage use shall be limited to the street story and shall be solely for the storage of more than five (5) automobiles used exclusively by the laundry; that the ceiling of the first story shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that any openings in the lot line wall to the north shall be substantially as indicated on revised plans marked 'Received January 29, 1938', and shall be fireproof and self-closing and shall have a sprinkler head opposite

each window and not more than 4 ft. away; that any openings in the wall to the south between the proposed garage occupancy and the existing laundry buildings shall be protected with fireproof, self-closing doors; that any storage of gasoline permitted shall be solely for use in servicing the motor vehicles used for the laundry use; that no roof sign shall be installed upon this building; that all requirements of the zoning resolution as to required rear yards shall be complied with.

Resolved further, that in the event the owner desires to establish an additional use of a dry-cleaning establishment to be operated as accessory to the laundry, such accessory use may be permitted, providing the equipment therefor is located on the second story and is of the general type as indicated on plans filed with the borough superintendent of buildings under Building Notice Application 312-40, as indicated on plans marked 'Received October 14, 1940', on condition that such equipment shall in all other respects meet the requirements of all laws, rules and regulations applicable thereto and pending approval by the Board of the Hoffman unit for general use in New York City, such installation shall meet the requirements of the fire commissioner therefor and shall also be subject to any conditions that may be placed on the use of the above equipment if and when approved by the Board."

950-39-BZ.

APPLICANT—James Britton Halley (lessee), for Olga Roman and Harriet Britton, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a stated term.

PREMISES AFFECTED—3450-3452 Eastchester road, east side, 311 ft. north of Boston road, and 3457-3459 Mickle avenue, west side, 280 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and James Britton Halley.

For Opposition: M. Michael Kleinberg.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(950-39-BZ)

WHEREAS, James Britton Halley (lessee), for Olga Roman and Harriet Britton, owners, filed July 13, 1939, an application under section 7h of the building zone resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 3450-3452 Eastchester road, east side, 311 ft. north of Boston road, and 3457-3459 Mickle avenue, west side, 280 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston road is in a business use district; Eastchester road and Mickle avenue are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings on an application for a certificate of occupancy, rendered June 26, 1939, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of

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more than five (5) motor vehicles at the above premises is denied, as the premises are located in a residence district, where such occupancy is unlawful.

Please be advised further that zone violation No. 127/38 is pending in this Department for the storage and parking of twelve (12) motor vehicles."

and WHEREAS, the premises consist of a plot of ground (now vacant) having a frontage of 50 ft. on Eastchester road and 75 ft. on Mickle avenue, which it is proposed to occupy for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the plot to be occupied for the parking and storage of more than five (5) motor vehicles, provided that only motor vehicles of the pleasure-car type are so stored or parked, *on condition* that the plot shall be maintained as indicated on plans and photographs filed herewith; that entrance shall be solely through the unopened Mickle avenue to the north, except that there may be a gate not over 3 ft. in width to permit entrance by pedestrians from Eastchester road; that a substantial fence shall be erected and maintained along the street line of Eastchester road and along the interior lot lines; that the premises shall be kept graded and surfaced with suitable gravel or cinders, properly rolled and bound; that signs shall be restricted to a sign at the Mickle avenue front advertising the parking and storage use; that no sign shall be displayed on Eastchester road; that all permits required shall be obtained and all work involved completed within six (6) months from the date of this resolution.

1172-39-BZ.

APPLICANT—Catherine Conigliano and Francisco Conigliano, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lean Seinfeld.

For Opposition: Bernard Astor, Jerome N. Wanshel, Philip Ruffo, Jennie Ruffo, A. Grimaldi, Katherine Fuch and Paul Roman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(1172-39-BZ)

WHEREAS, Catherine Conigliano and Francisco Conigliano, owners, filed September 22, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36, 37 and 38), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that McDonald avenue is in a business use district; Dahill road is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Application No. 5659-39, dated August 23, 1939, reads:

"1. Parking lot for more than 5 cars in business district is contrary to zone regulations Art. II, Sec. 4, par. 15."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 40 ft. on McDonald avenue, a width at the rear of 60 ft. and a depth of 95 ft., which it is proposed to occupy for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings, on B.N. Application No. 5659-39, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1220-39-BZ.

APPLICANT—Lama and Proskauer, for Ansel P. Verity and George Deylen, owners (Johnson and Scharfman, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Paul Friedman and Alfred P. Hamel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1220-39-BZ)

WHEREAS, Lama and Proskauer, for Ansel P. Verity and George Deylen, owners (Johnson and Scharfman, lessee), filed October 5, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 364-368 Empire boulevard, south side, 210 ft. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Empire boulevard, Nostrand avenue and New York avenue are in business use districts; Sterling street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of

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buildings, on Application No. 847-1940, dated May 22, 1940, reads:

"1. Parking and storage of more than 5 cars in a business district is contrary to Art. II, Sec. 4, Para. 15, zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. on Empire boulevard and a depth of 100 ft., which it is proposed to occupy for the parking and storage of not more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7h thereof, to permit the plot to be occupied for the storage and parking of more than five (5) motor vehicles for a term of two (2) years from the date of this resolution, on condition that the site shall be leveled substantially to the grade of Empire boulevard and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that during the term of this permit the premises shall be occupied for no other use than as herein permitted; that there shall be erected on the interior lot lines continuously a substantial woven-wire, chain-link fence, not less than 6 ft. in height, with substantial pipe anchor supports; that a similar fence shall be maintained on the street building line, except for an entrance not exceeding fifteen (15) ft. in width; that the curb opposite such entrance shall not exceed fifteen (15) ft., but shall not be used as a joint entrance to the existing gas station in the adjoining lot, No. 15; that this lot, however, may be under the management and control of the operator of such gas station on Lot 15, provided that all the requirements of this resolution are complied with; that there shall be no signs erected on the premises, except that there may be a sign attached to the fence advertising only the parking and storage use herein permitted, provided such sign does not extend beyond the building line and does not exceed 15 sq. ft. in area; that no lighting for general illumination shall be installed; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

1232-39-BZ.

APPLICANT—Martyn N. Weinstein, for Beech Haven Estates, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only.

PREMISES AFFECTED—84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Bert Schwarz.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(1232-39-BZ)

WHEREAS, Martyn N. Weinstein, for Beech Haven Estates, owner, filed October 5, 1939, an application under sec-

tion 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use district the erection and maintenance of a multiple dwelling having a garage for more than three (3) motor vehicles in the cellar story; garage space is for the use of tenants only; premises 84-50 169th street, west side, 165.01 ft. north of Gothic drive (Block No. 9860, Lot No. 40), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th place, 169th street, 168th street, 84th avenue and Gothic drive are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on amendment to New Building Application No. 10228-39, dated September 21, 1939, reads:

"Garage in a multiple dwelling at the above location must be referred to and approved by the Board of Standards and Appeals before further consideration can be given by this Department—Sec. 60 M.D.L.

Garage for more than 3 cars in a Residence F. district is contrary to Article 2—Sec. 3—sub. division 8—of the Building Zone Resolution.

Application denied."

and

WHEREAS, the proposed building will have a frontage of 188 ft. and a depth of 170 ft., be six (6) stories and basement in height, and be of fireproof construction; it is proposed to occupy part of the cellar story of this proposed multiple dwelling as a garage for the storage of more than three (3) motor vehicles; the garage space to be for the use of tenants only; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that in view of the existence of a private school registered by the Board of Regents in the same portion of the street between the intersecting streets as this proposed multiple dwelling having a garage for more than three (3) motor vehicles, and the decisions of the Courts on similar issues brought under section 21, it is precluded from making any favorable decision on this application.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 10228-39, be and it hereby is affirmed and that the application be and it hereby is denied.

1490-39-BZ.

APPLICANT—George W. Kibitz, for The Actinograph Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: George W. Kibitz and R. H. Hammer.

For Opposition: Charles Eetluck, Isidore G. Popik, A. H. Sarno, Fannie Lipshutz, E. Bussel, Max Monfried, Ida Rutguson, George F. Brenner, Selma Epstein, Robert Harvey and Harry Weinstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

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THE RESOLUTION—

(1490-39-BZ)

WHEREAS, George W. Kibitz, for The Actinograph Corporation, owner, filed December 8, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 790-808 East 176th street, south side, 147 ft. west of Marmion avenue, and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 176th street and Prospect avenue are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 778-39, dated November 9, 1939, reads:

"1. Parking and storage of more than five (5) motor vehicles located in a Residence District is contrary to Sec. 3, Art. 2 of the Building Zone Resolution. Examination not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 225 ft. on East 176th street, 100 ft. on East 175th street and a depth of 384 ft., occupied by several buildings of The Actinograph Corporation (motion picture concern); it is proposed to occupy a portion of the building having an area of 70 ft. by 132 ft. for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and that the Board should not exercise its discretion to grant under section 7.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 778-39, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

38-40-BZ.

APPLICANT—Samuel G. Thomson, Jr., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit on a plot, partly in a residence use district and partly in a business use district, the parking of more than five (5) motor vehicles on that portion of the plot in the business use district.

PREMISES AFFECTED—87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel G. Thomson, Jr.

For Opposition: George N. Hellus and Douglas L. Clark.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(38-40-BZ)

WHEREAS, Samuel G. Thomson, Jr., owner, filed January 11, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business and residence use district, for a temporary period of not more than two

(2) years, the parking of more than five (5) motor vehicles; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 170th street and 88th avenue are in business and residence use districts; Hillside avenue is in a business district; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 6589-1939, dated January 8, 1940, reads:

"1. Proposed use of premises as a parking lot located in a business and residence district is contrary to Sec. 3 and Sec. 4-15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 50.5 ft. on 170th street, 46 ft. in the rear and a depth of 125 ft. along the south lot line, which it is proposed to occupy for the parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision h thereof, to permit the plot to be occupied *for a term of two (2) years* for transient parking of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that the parking shall be restricted between the hours of 8:00 A.M. and 8:00 P.M., except that not over two (2) motor vehicles, used in connection with the adjoining gasoline service station, under the same ownership, may be parked; that the plot shall be graded substantially to the grade of 170th street and shall be so drained as to not affect adjoining premises or the 170th street sidewalk; that on the westerly lot line there shall be erected a substantial solid-board fence, not less than 6 ft. in height; that along the southerly lot line there shall be a similar fence or a woven-wire chain-link fence with substantial pipe anchor posts; that a similar fence shall be erected along the street building line of 170th street with not more than one opening for entrance, not exceeding 16 ft. in width, with curb cut opposite of similar width; that the sidewalk along 170th street shall be restored and curbs installed; that the lot shall be surfaced with steam cinders, clean gravel or other similar material with asphalt binder and properly rolled; that there shall be no openings from this lot to adjoining occupancies; that the door into the existing gasoline station adjoining shall be blocked up; that proper aisles shall be maintained at all times for easy entrance and egress; that signs shall be restricted to a sign attached to the fence advertising the transient parking use and the rates charged and the hours during which the parking lot is open as herein permitted; that such sign shall not exceed 15 sq. ft. in area and shall not extend beyond the building line; that no lights for general illumination shall be installed, and that all permits shall be obtained and all work involved shall be completed within six (6) months from the date of this resolution.

529-40-BZ.

APPLICANT—Lama and Proskauer, for Cliffdodge Estate, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of an

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accessory building on an existing gasoline service station.

PREMISES AFFECTED—1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(529-40-BZ)

WHEREAS, Lama and Proskauer, for Cliffdodge Estate, Incorporated, owner, filed May 17, 1940, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the reconstruction and extension of an accessory building on an existing gasoline service station; premises 1788-1798 Eastern parkway and 2131-2135 Bergen street, northeast corner (Block No. 1449, Lot No. 43), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern parkway and Bergen street are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1108-40, dated April 2, 1940, reads:

"1. Reconstruction and addition to present building, used in conjunction with gasoline service station, is contrary to Art. II, Sec. 4a, Par. 46, and is hereby denied."

and

WHEREAS, the premises consist of a triangular plot of ground, with a frontage of 106 ft. 8 in. on Eastern parkway and 69 ft. 6½ in. on Bergen street, on which is located a one-story office building, 12 ft. 4 in. by 25 ft. 1 in. in area, an automobile lift and the tanks and pumps of a gasoline service station; it is proposed to alter and reconstruct the existing structure so as to include an office and lubritorium; the altered building will be "L" shaped and be 27 ft. 11¾ in. by 41 ft. 9 in. in area; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision c thereof, to permit the reconstruction and the rearrangement of the legally existing gasoline station substantially as indicated on revised plans marked 'Received October 11, 1940', on condition that the plot shall not be increased in area; that the proposed addition to the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood; that any windows opening to Bergen street shall be fireproof; that no closure doors shall be constructed on the lubritorium section unless the equipment is of the hydraulic type or pits are constructed; that ventilation through the roof shall be provided from the pits and actuated by a motor-driven fan of the spark-proof type; that the existing pumps on building line of Eastern parkway shall be entirely removed and not more than two (2) pumps shall be erected not nearer the street building line of Eastern parkway than 10 ft. to the concrete base of the pumps; that any existing curb cut to Bergen street shall be restored; that no curb cuts, other

than those existing to Eastern parkway, shown on this revised plan marked "Received October 11, 1940", shall be constructed; that no signs shall be erected on the premises, except a permanent sign attached to the building and the globes of the pumps, excluding all roof signs and temporary signs, but permitting a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale; that no motor vehicle repairing shall be carried on; no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the heavy wire-mesh fence erected on the existing retaining wall to the east shall be maintained; that a retaining wall, averaging 2 ft. 6 in. in height, shall be maintained on the street line of Bergen street from the proposed lubritorium building to the street intersection; that no windows or other openings shall be maintained in the interior lot line wall, and that all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this action.

617-40-BZ.

APPLICANT—Murray Klein, for Emanuel Levy and Philip Pifko, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a one-story business building (store).

PREMISES AFFECTED—1623-1629 East 17th street, east side, 105 ft. 3¼ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Murray Klein, Aaron Maze and Emanuel Levy.

For Opposition: Joseph Schutzman, Joseph Leav, Mannie B. Lieberman and Harold Kohn.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(617-40-BZ)

WHEREAS, Murray Klein, for Emanuel Levy and Philip Pifko, owners, filed June 10, 1940, an application under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a one-story business building (store); premises 1623-1629 East 17th street, east side, 105 ft. 3¼ in. north of Kings highway (Block No. 6780, Lot No. 77 and part of Lot No. 70), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway is in a business use district; Avenue P, East 17th street and East 18th street are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1060-40, dated May 10, 1940, reads:

"1. The erection of a business building (store) extending into a residence use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution. Denied."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 80 ft. and depths of 60 ft. and 100 ft., on which it is proposed to erect a one-story and cellar business building (store); and

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WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of section 7, subdivision c, of the building zone resolution, and further that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 1060-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

631-40-BZ.

APPLICANT—J. Jacques Stone, for Bowery Savings Bank, owner (345 West 34th Street Parking Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone and William G. Kretch.

For Opposition: Louis W. Osterweis.

ACTION OF BOARD—Application granted on condition.

THE VOTE —

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(631-40-BZ)

WHEREAS, J. Jacques Stone, for Bowery Savings Bank, owner (345 West 34th Street Parking Corporation, lessee), filed June 12, 1940, an application under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 333-345 West 34th street, north side, 270 ft. east of Ninth avenue (Block No. 758, Lot No. 16), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 15, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 34th street and West 35th street are in retail use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 87-1940, dated June 7, 1940, reads:

"1. These premises are situated in a retail use district. The parking and storage of more than five motor vehicles will be contrary to article 2, section 4, subdivision 15 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 125 ft. on West 34th street and 301 ft. 1½ in. on West 35th street, which it is proposed to occupy for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does

hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the storage and parking of more than five (5) motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of West 34th street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines where walls of adjoining buildings do not occur there shall be erected a substantial chain-link, woven-wire fence not less than 6 ft. in height, with pipe anchor supports, with no entrances therein to adjoining premises; that a similar fence shall be erected along the street building line of West 34th street with not more than one opening therein, not exceeding 18 ft. in width, with curb cut opposite not exceeding similar width; that during the term of this permit the plot shall be occupied for no other use than as herein permitted, and no buildings shall be erected thereon except the existing buildings used as a shelter for the attendant and as a waiting room for customers with adequate toilet facilities provided; that proper aisles shall be maintained at all times and spaces not less than 18 in. shall be provided between alternate rows or pairs of cars to provide easy access thereto; that any lighting for general illumination shall be on pipe standards with metal reflectors so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that Lot No. 74, under the same ownership, shall not be used in any way in connection with the parking use herein permitted and no entrance thereto shall be permitted from the parking lot; that the owner shall keep this lot clear of rubbish at all times and properly fenced along the street building line of West 35th street if it is not built up with conforming use; that all advertising signs on the plot and on adjacent buildings facing the plot shall be removed and signs shall be restricted to a sign attached to the fence and not extending beyond the building line advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. in area; that such sign, however, shall clearly indicate the rates charged; that the parking and storage of motor vehicles shall be restricted to automobiles of the pleasure-car type; that along the lot lines and against the fences and walls there shall be installed proper wood or concrete bumpers not less than 8 in. by 8 in. in size for protection of such walls and fences; that revised plans shall be filed with this Board showing the requirements herein set forth including the aisles and the spaces as a matter of record; that all permits required shall be obtained and all work involved completed within six (6) months from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

602-40-A.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 29, 1940, at 10 A.M., for applicant to have License Commissioner's approval withdrawn.

Adjourned, 3:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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REGULAR MEETING.

TUESDAY AFTERNOON, OCTOBER 15, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

390-27-BZ.

APPLICANT—Reginald S. Hardy, for Morben Properties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and rehearing under section 7f of the building zone resolution—re Application (decision of the borough superintendent of buildings), previously denied under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1613-17-BZ.

APPLICANT—William Shary, for Continental Avenue Garage, Incorporated, owner (Beslyn Garage, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include an alcove gasoline service station.

PREMISES AFFECTED—107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 [2049], Lot No. 3), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1613-17-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit, partly in a retail use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of a garage for more than five (5) motor vehicles, premises 107-36 Queens boulevard, south side, 130.56 ft. west of Continental avenue (Block No. 3239 [2049], Lot No. 3), Forest Hills, Borough of Queens, was granted by the Board November 27, 1917, on certain conditions, the resolution amended July 16, 1940, and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on No-

vember 27, 1917, as amended July 16, 1940, so that as amended the resolution shall read:

“Resolved, that the application, to permit in a business use district the erection of a one-story public garage, be and it hereby is granted on condition that any necessary permits for the prosecution of the work shall be obtained within one (1) year from the date of this action; that in the event the owner desires to extend the gasoline selling area at front of garage as permitted by the Fire Department and substantially as indicated on plans marked ‘Received June 6, 1940’, the reconstruction of the gasoline selling area may be permitted, on condition that all gasoline pumps shall be removed and any new pumps erected shall be located not nearer than 15 ft. to the street building line of Queens boulevard; that the front wall, as shown, may be moved further back in order to permit the location of pumps as herein required; that no greasing equipment shall be installed toward the front of garage, and if any greasing equipment is installed, it shall be located in the garage not nearer than 100 ft. of the street building line of Queens boulevard; that the existing roof sign shall be removed and no new roof signs installed; that all signs shall be restricted to permanent legal signs attached to the facade of the garage and showroom and to the illuminated globes of the pumps, excluding all temporary signs, but permitting the construction of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line a distance of not more than 4 ft.; that the new front walls shall be constructed of approved masonry consisting of face brick or stone and structural glass; that no motor vehicle repairing shall be carried on; that no portable gasoline tanks shall be used on or from the premises; that the chimney shall be reduced in height so as not to rise above the front parapet; that if this alteration is carried through, all permits shall be obtained and all work involved shall be completed within one (1) year from the date of this amended resolution, and that in all other respects the resolution as adopted by the Board on November 27, 1917, shall be complied with.

Resolved further, that the greasing equipment, if installed, shall be located in the garage toward the west-erly side, not less than forty (40) ft. from the street building line of Queens boulevard, as indicated on re-vised plans marked ‘Received October 2, 1940’.

116-35-BZ.

APPLICANT—Ann H. Draper, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the alteration and change of occupancy of part of an existing dwelling so as to include a business use (undertaking establishment).

PREMISES AFFECTED—103-44 Springfield boulevard, northwest corner of Hollis avenue (Block No. 2008, Lot No. 22A), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: James C. Marten.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(116-35-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a residence district the

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alteration and change of occupancy of part of an existing dwelling so as to include a business use (undertaking establishment), premises 103-44 Springfield boulevard, north-west corner of Hollis avenue (Block No. 2008, Lot No. 22A), Queens Village, Borough of Queens, was granted by the Board July 9, 1935, for a temporary period, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 9, 1935, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone and that the application be and it hereby is *granted under section 7e, for a term of two (2) years from the date of this amended resolution*, to permit the premises to be used as a funeral parlor, *on condition* that there shall be no alterations to the existing buildings other than as shown on plans filed with this appeal; that signs shall be restricted to a permanent sign attached to the front of the building, not to exceed 6 sq. ft. in area, excluding all other signs of every nature, and permitting the existing one-story garage to be used for one commercial vehicle in conjunction with the undertaking establishment."

261-36-BZ.

APPLICANT—Fred S. Lowenthal, for Regina Loewenthal, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting (under section 7h) in a business use district the use of a plot of ground as a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street, and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx.

APPEARANCES—

For Applicant: Fred S. Lowenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(261-36-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground as a parking space for more than five (5) motor vehicles, premises 2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street, and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx, was granted by the Board January 5, 1937, on certain conditions, the permit extended November 1, 1938, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on January 5, 1937, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h of the building zone resolution, *for a term of two (2) years from the date of this amended resolution*, to permit the premises under appeal to be used for the parking and storage of motor vehicles, *on*

condition that only such motor vehicles shall be stored or parked as are capable of operation; that the entrance shall be exclusively from Bailey avenue; that such entrance on Bailey avenue shall not exceed a width of 18 ft.; that there shall be a fence erected along Bailey avenue and along the interior lot lines of the property, except that the fence in the rear shall be erected at a distance of 25 ft. eastwardly from the line of the New York Central right-of-way; that the premises shall be substantially leveled generally to the grade of Bailey avenue and shall be covered with steam cinders; that the automobiles shall be so parked that aisles shall be left at all times of access and egress; that during the term of this variance the premises shall be used for no other purpose and no building shall be erected thereon and no other use maintained except that a small building may be erected near Bailey avenue as an office for the attendant, provided such building is not over 10 ft. square and not over one story in height; that signs shall be limited to a sign at Bailey avenue advertising the use of the property; that the space between the rear fence and the railroad right-of-way shall be kept clear of rubbish at all times and the angle of repose maintained so as to prevent as far as practical the washing of earth on the railroad right-of-way; that such lighting as is maintained shall be located so as to not be objectionable to the owners across Bailey avenue."

330-36-BZ.

APPLICANT—Samuel Rosenblum, for Shelton Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles, on a plot unbuilt upon, for a period of not more than two (2) years.

PREMISES AFFECTED—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(330-36-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan, was granted by the Board January 12, 1937, on certain conditions, the permit extended November 1, 1938, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on January 12, 1937, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h of the building zone resolution, *for a term of two (2) years from the date of this amended resolution*, to permit the premises under appeal to be

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used for the transient parking of automobiles, *on condition* that the plot shall be leveled substantially to the grade of East 48th street and shall be covered with rolled steam cinders, properly bound to prevent dusting; that the entrance to the property shall consist of one entrance only from East 48th street, which may be twenty (20) ft. in width, with curb cut opposite of similar width; that on the street building and interior lot lines there shall be erected a substantial woven-wire fence, except where the entrance occurs; that pleasure vehicles only shall be parked as are capable of operation; that during the term of this variance this plot shall not be used for any other use and no buildings shall be built thereon, except a small building, not more than 10 ft. square and one story high, to be used as an office and shelter for the attendant; that proper aisles shall be maintained at all times for ease of exit and ingress; that during the time the plot is open for business there shall be an attendant on the plot; that any lighting shall be so arranged as to deflect downwardly so as not to cause objection to the adjoining owners; that no advertising shall be displayed on any part of the plot, except there may be erected a flat sign, not extending beyond the building line near East 48th street portion of the property, advertising the use."

247-37-BZ.

APPLICANT—Margaret Murray (Mrs. T. Murray), one of lessees, for George R. Jenkins, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: David Gerhardi.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(247-37-BZ)

WHEREAS, this application to permit in a business use district, under section 7h of the building zone resolution, the parking and storage of more than five (5) motor vehicles, premises 40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens, was granted by the Board April 5, 1938, on certain conditions; and

WHEREAS, Margaret Murray (Mrs. T. Murray), one of the lessees, for George R. Jenkins, owner, requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 5, 1938, so far as it has reference to the term of permit, so that this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended resolution*."

389-28-BZ.

APPLICANT—Benjamin Bishon, for Bishon Service Station, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution as to curb cuts (re deci-

sion of the borough superintendent of buildings)—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2385-2393 Utica avenue, east side, 348.9 ft. south of Fillmore avenue (Block No. 8511, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Bishon.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(389-28-BZ)

WHEREAS, this application, affecting premises 2385-2393 Utica avenue, east side, 348.9 ft. south of Fillmore avenue (Block No. 8511, Lot No. 11), Borough of Brooklyn, was granted by the Board June 4, 1929, on certain conditions, plans approved February 4, 1930, resolution amended April 21, 1936, and March 12, 1940, and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 4, 1929, as amended by resolution approving plans on February 4, 1930, as last amended March 12, 1940, be and it hereby is *further amended*, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that there shall be constructed along the building line a concrete curbing not less than 12 in. in height above grade; that there shall be provided at the easterly and northerly property lines a wall of approved masonry, not less than 8 ft. in height, faced on the exterior with enameled face brick, coped with architectural terra cotta or natural stone trimming; that the one-story building proposed, as shown on the diagram, shall be finished on the exterior with enameled brick with architectural terra cotta or natural stone trimming; that no pumps shall be installed on the property within 10 ft. of the building line; *that the vehicular driveways to the property shall not exceed two (2) curb cuts not exceeding a width of 20 ft. each*; that there shall be no portable gasoline tanks installed, maintained or operated on the premises; that there shall be no advertising display other than a flat wall sign on the facade of the accessory building and on the glass globes of the gasoline pumps, excluding all roof signs and all temporary signs, except that there may be erected within the building line along Utica avenue two (2) post standards, each for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft., located as indicated on plans marked 'Received March 2, 1940.'

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough super-

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intendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake and B. P. Gladstone.

For Owner: B. M. Sylvan, Joseph Ferber and Nicholas F. Walsh.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 10, 1940, at 2 P.M., on request of attorney for owner.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake and B. P. Gladstone.

For Owner: Joseph Ferber, Nicholas F. Walsh, Alex Kraut, B. M. Sylvan and Lawrence Meinwald.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 13, 1940, at 2 P.M., for further consideration by Board and for decision without further argument.

1517-39-A.

APPLICANT—Meyer Strauss, for Estate of Martha W. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 22, 1940, at 2 P.M., for additional information from the Building Department. Applicant to be notified.

887-40-A.

APPLICANT—Sol Oberwager, for Marbridge Building Company, Incorporated, owner (Littman's 34th Street Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Oberwager and Joseph F. Hennessy.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 22, 1940, at 2 P.M., pending definite decision by the borough superintendent of buildings.

882-40-A.

APPLICANT—D. A. Collins Manufacturing Company, for Bush Terminal Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—148 39th street, southwest corner of Second avenue (Block No. 706, Lot No. 1), (Building No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. P. Lowenstein, Harry Diman and Louis Campagnoli.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., pending action by Board of Estimate on Local Law 354.

941-40-A-WF.

APPLICANT—The Great Atlantic and Pacific Tea Company (lessee), for Mandel and Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—100-11 Astoria boulevard, north side, 100 ft. east of 100th street (Block No. 1658, Lot No. 9), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Harry A. Mohr.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

394-40-A.

APPLICANT—The Mortgage Corporation of New York, owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Pilgrim Refrigerating Company, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Philip W. Hague, Jr.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(394-40-A)

WHEREAS, The Mortgage Corporation of New York, owner (Peter Weiss Motor Sales, Koppers Outdoor Advertising Company and Pilgrim Refrigerating Company, lessees), filed April 16, 1940, an appeal from a decision of the borough superintendent of buildings; premises 45-29 to 45-35 50th (Fitting) street, east side, 200 ft. south of Queens boulevard (Block No. 2283, Lot No. 12), Woodside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1095-40, dated February 29, 1940, reads:

"1. Remove all typewritten additional words in printed matter.

2. Due to the fact that the building, as approved on May 1, 1924, has not been erected according to plans in that it is divided into three (3) parts, the permit has been stopped on May 12, 1925, by the Superintendent of Buildings.

On December 12, 1935, a Certificate of Occupancy,

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No. A52599 has been issued for three (3) garages (more than five cars) on the basis of a Court Order dated 2/15/1926.

No Cert. of Occupancy for any other use was issued, except for 400 ft. S. Queens Boulevard (C.O. No. A52579).

3. File complete plans showing the subdivision to new uses.

4. The use and occupancy of the entire building, other than specified in Certificate of Occupancy No. A52599 is contrary to Art. II, Sec. 3, Building Zone Resol., inasmuch, in part, it is used or proposed to be used as a motor vehicle repair shop since the zone has been changed to residence use on July 19, 1924, before the time of the erection of the structure."

and

WHEREAS, on March 25, 1940, an amendment was filed in the Department of Housing and Buildings by the owner, which reads:

"In answer to the Objections under date of February 29, 1940, applicant states:

1. (Objection No. 1)—Applicant's position is that it is entitled to make insertions in the printed application as are necessary to set out the facts and to preserve all its rights.

2. (Objection No. 2)—Without waiving any of the rights asserted herein or in the original application (except as set forth in paragraph 5 below, applicant contends:

(a) That the amended plans on file with the Department of Housing and Buildings were approved by the Superintendent.

(b) That the permit issued for the construction of the building was not revoked, though a notice purporting to require the then owner to stop construction appears in the files of the Department of Housing and Buildings.

(c) That as a condition precedent to the issuance of the permit for the construction of the building, the Department of Housing and Buildings required the then owner and applicant to provide for the construction of three fireproof fire walls. Apparently the basis for the assertion by the then Superintendent and the present Superintendent that the building was being divided into three parts and a new permit was required was simply the change in the location of two of these fireproof fire walls. This change, which is readily apparent from the original plans and the amended plans on file, does not and did not amount to an alteration within the meaning of the provisions of the then or present Building Code, so as to require a new permit. Reference is made to the Department files on Application No. 2411 of 1924, which is incorporated herein by reference.

3. (Objection No. 3)—Applicant refers to and incorporates herein the amended plans on file in the Department of Housing and Buildings, approved as aforesaid. It is proposed that the central portion of the building between the two interior brick walls shown on said plans be used as a place for the storage and repair of motor vehicles. Applicant also refers to the annexed plot diagram and to the diagram annexed to the original application, which show, in conjunction with the description in that application, the subdivision to present uses.

4. (Objection No. 4)—Applicant reincorporates the statements and contentions set forth in the original application, except those affecting the use of 4533 50th Street as a place for the purchase, sale and incidental repairing of used refrigerators as set forth in Paragraph 5 below, and without waiving any such statements or

contentions asserts:

(a) That the original use for which the construction permit was issued was for a showroom and garage for more than five cars, which, under the circumstances of the case, contemplated the performance of servicing and repair work.

(b) That the court decree hereinafter referred to and specifically referred to in the objection sheet dated February 29, 1940, authorized the use of the premises for the purposes set forth in sub-paragraph (a) of this paragraph 4, thereby giving to the owner of the property such rights to a change in use or occupation as he would have had the building originally been constructed prior to the amendment of the Building Zone Resolution, changing the authorized use of the property to a use for residence purposes.

5. Applicant withdraws the portion and only the portion of the original application in which a certificate of occupancy was requested for the use of 4533 50th Street as a place for the purchase, sale and incidental repairing of refrigerators. Applicant is abandoning such use of that portion of the property and is taking steps to remove the tenant now in possession.

Reconsideration of the original application in conjunction with the instant amendment thereto is hereby requested."

and

WHEREAS, on April 2, 1940, reconsideration of Objections 1, 2, 3, 4 and 5, as noted above, was denied by the borough superintendent of buildings; and

WHEREAS, Zoning Violation No. 30-40, issued March 5, 1940, to No. 45-33 50th street, reads:

"Premises used for storage of ice boxes and refrigerators in a residential district."

and

WHEREAS, Zoning Violation No. 32-40, dated March 7, 1940, issued to No. 45-35 50th street, reads:

"Premises used for storage and manufacturing of signs (billboards) in a residential district."

and

WHEREAS, Zoning Violation No. 50-40, dated March 28, 1940, issued to No. 45-29 to 45-35 50th street, reads:

"Building used as a garage and motor vehicle repair shop in a residential district."

and

WHEREAS, the premises consist of a building 200 ft. front on 50th street with a depth of 32 ft. 9 1/8 in. at the southerly end and 51 ft. 3 1/4 in. at the northerly end, one story (16 ft.) in height; of Class 3 construction; completed September 30, 1926, and occupied as follows: Part 1—(45-29 to 45-31 50th street), garage for more than five (5) motor vehicles, storage, sales, service and repair of motor vehicles, 6 persons; Part 2—(45-33 50th street), second-hand refrigerator shop, 3 persons; Part 3—(45-44 50th street), manufacturing of signs and billboards, 4 persons; it is proposed to occupy the building: Part 1, same; Part 2, garage for more than five (5) motor vehicles, storage, sales, service and repair of motor vehicles; Part 3, garage for more than five (5) motor vehicles, storage, sales, service and repair of motor vehicles and sign shop; and

WHEREAS, the applicant contends that the building in question is the central portion of a building which was constructed pursuant to Permit N.B. 2411 of 1924 and a decree of the Supreme Court of the State of New York, County of Queens, dated February 11, 1926; that the records of the Building Department show that the construction of the building was completed on September 30, 1928; that at the time the above permit was issued the property was located in an unrestricted use district; that on June 27, 1924, the Zoning Resolution was amended to bring the property into a residence use district; that the aforesaid Court decree thereafter entered nevertheless enjoined the then superintendent of

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buildings of the Borough of Queens from interfering with the construction and erection of the building; that applicant's immediate predecessor, The Mortgage Commission Realty Corporation, acquired title on the foreclosure of a mortgage dated October 18, 1926; that the applicant acquired title on June 1, 1939, in the capacity of a trustee under a Declaration of Trust for the benefit of holders of certificates; that at the time applicant acquired title the premises were occupied and used as follows: Part 1—(45-29 to 45-31 50th street), Peter Weiss Motor Sales (storage and sales of automobiles and incidental service and repairs); Part 2—(45-35 50th street), Koppers Outdoor Advertising Company (advertising signs); Part 3—(45-33 50th street), Julien L. Bartelstone, doing business as Pilgrim Refrigerator Company (second-hand refrigerator shop); that the above uses have been continued to date; that no appeal is taken, however, from the action of the superintendent of buildings in denying a certificate of occupancy for the use of Part 3—(45-33 50th street) as a second-hand refrigerator shop; that this appeal is taken from the action of the borough superintendent of buildings in denying Application No. 1095 for certificates of occupancy for the use of the premises; that the purpose of Application No. 1095 and of this appeal is to obtain certificates of occupancy covering the actual present uses of the property (except the second-hand refrigerator shop as aforesaid) and permitting the use of the entire property as a garage with full rights of storage, sales and incidental service and repairs; that the superintendent of buildings admits (see Objection 4 in Objection Sheet dated February 29, 1940) that the building may be legally used as a garage for the storage of more than five (5) motor vehicles; that he apparently takes the position, however, that the applicant has no present right to use the property for servicing or repair of motor vehicles and that no change of use, except to uses permitted in a residence use district, is permissible; that the principal points upon which applicant basis his appeal are:

"With respect to the superintendent's Objection No. 1, the presence of the additional typewritten words in the printed application affords no basis for denial thereof.

With respect to the superintendent's Objection No. 3, complete plans showing the subdivision to new uses were filed.

With respect to the superintendent's Objections Nos. 2 and 4:

(a) The entire building, the central portion of which (Sec. 2, plot diagram) is owned by applicant, was lawfully erected under Permit N.B. 2411 of 1924 and the aforesaid decree of the Supreme Court as a garage and showroom including full rights of storage, sales and incidental service and repairs.

(b) Permit N.B. 2411 of 1924 has not been revoked, though a notice dated May 12, 1925, purporting to require the then owner to stop construction, appears in the files of the Department of Housing and Buildings. This notice was rendered ineffectively by the aforesaid court decree dated February 11, 1926. The only apparent basis for such notice was the assertion that the building was being divided into three parts. Such division into three parts was made necessary by the requirement of the Department of Housing and Buildings that the owner provide for the construction of three fireproof fire walls. The fact that the location of these fire walls may have been changed slightly from the positions indicated on the original plan is immaterial and is not a sufficient basis for the denial of Application No. 1095. In the event that the Board should conclude that there was a departure from the Permit N.B. 2411 of 1924, and the plans approved in connection therewith, in the location of the fire walls or for any other

reason, application is made hereby for approval of the building as so constructed.

(c) The amended plans filed with the Building Department were approved by the Superintendent of Buildings and the fact that the building was not erected in accordance with the plans approved on May 1, 1924, is not material to the question of the legality of the present or proposed uses.

(d) Section 6a of the Building Zone Resolution permits the continuation and maintenance of the use of the building as a garage with full right of storage, sales and incidental service and repairs, thus lawfully commenced for the reason that the building, within the meaning of that section, was in existence at the time of the amendment of June 27, 1924, to the Building Zone Resolution.

(e) In so far as the present application seeks a certificate of occupancy for a use that may be deemed to effect a change from the originally authorized use, this change is permitted by the provisions of the Building Zone Resolution relating to changes of use, and in particular Section 6 thereof.

(f) The Building Zone Resolution cannot be constitutionally interpreted to prevent continuance of the present use of the premises as a garage with full rights of storage, sales and incidental service and repairs, and applicant reserves its rights to question the constitutionality of any such interpretation of the resolution or of any other provision of law."

and

WHEREAS, the certificate of occupancy was issued for garage use only and no other non-conforming use was permissible thereunder unless a revised certificate of occupancy was issued; and

WHEREAS, under Cal. No. 393-40-BZ the Board denied an application for a zoning variance to permit a motor vehicle repair shop, which is a prohibited use in a district zoned for residential use; and

WHEREAS, the premises and area have been inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1095-40, be and it hereby is affirmed and that the appeal be and it hereby is denied.

896-40-A.

APPLICANT—William Engel, for 680 Woodward Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(896-40-A)

WHEREAS, William Engel, for 680 Woodward Avenue Corporation, owner, filed September 6, 1940, an appeal from a decision of the borough superintendent of buildings; premises 680 Woodward avenue, south side, 50 ft. east of Gates avenue (Block No. 3468, Lot No. 41), Ridgewood, Borough of Queens; and

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WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 9766-39, dated August 30, 1940, reads:

"3. Maintenance of a factory in a frame building is contrary to the Building Code (sec. 4.2.1).

Records of the Department show that this building was approved, under application number N.B. 1096/1903 to be occupied as a three and four family dwelling, changing this occupancy to a factory is contrary to sec. 2.1.3.5 B. C."

and

WHEREAS, the building is two stories (24 ft.) in height, 25 ft. by 55 ft. in area; of Class 4 construction; located in a business use C area district; erected in 1903, and occupied since 1935 as follows: cellar, storage, no persons; first story, knitting mill, 5 persons; second story, dwelling, two families; it is proposed to be occupied without change; and

WHEREAS, Violation Order No. 7139 was issued September 19, 1940, which reads:

"You will please take notice that there exists a violation of Section 2.1.3.4 of the Bldg. Code and C26-184.0 of the Admin. Code at the premises hereinafter described, in that of Maintaining a factory without a Certificate of Occupancy."

and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 9766-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the ceiling of the first story shall be fire-retarded or covered with a metal ceiling; that the ceiling of the cellar shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the partition shall be constructed in the hallway entirely separating the first story business occupancy from the second story residential occupancy; that a rear exit shall be provided from the first story space to the rear yard, from which access can be had to adjoining premises for escape in case of fire; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the factory occupancy on the first story shall at no time exceed ten (10) persons; that the main exit to Woodward avenue shall be maintained; that the door to the cellar shall be made fireproof and self-closing and the stairway partition and stair soffit made fire-retarded; that all bars on the rear windows shall be completely removed.

935-40-A.

APPLICANT—Richard Dehler, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—211-48 Jamaica avenue, south side, 141.98 ft. west of 212th street (Block No. 10836, Lot No. 55), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Richard Dehler.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(935-40-A)

WHEREAS, Richard Dehler, owner, filed September 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 211-48 Jamaica avenue, south side, 141.98 ft. west of 212th street (Block No. 10836, Lot No. 55), Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2185-40, dated September 29, 1940, reads:

"Moving a frame building in the fire limits from one lot to another is prohibited by the Building Code."

and

WHEREAS, the building will be one story (15 ft.) in height, 22 ft. by 60 ft. in area, on a lot 40 ft. by 160 ft. in area; located in an unrestricted use C area district, and occupied as an auto body works, 2 persons; and

WHEREAS, the applicant contends that the building is a portable type of wood construction, reinforced with metal; that it has been owned and operated by the applicant since 1935 at premises 98-16 212th street; that the building has been constructed and has been approved as a portable building at the time of its erection; that it was erected with the intention of moving it from its present location; that the building will take the place of two old, wooden shacks existing on the premises in question; that it is located in an unrestricted area; that the area is not suitable for dwelling purposes; that it is in view of the Long Island Railroad, an automobile wrecking yard and other objectionable buildings.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 2185-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the moving of the existing metal-clad building as proposed, *on condition* that the building shall not be increased in height or area, except that a brick front may be constructed; that the building shall be lined inside with approved fire-retarding material and with a fire stopping between such material and the exterior metal sheathing; that this variance shall continue only so long as the building is used as proposed and not for any other use, and that in all other respects shall comply with all laws, rules and regulations applicable thereto.

947-40-A.

APPLICANT—Halsey, McCormack and Helmer, Incorporated, for North River Savings Bank, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—206-212 West 34th street, south side, 100 ft. west of Seventh avenue (Block No. 783, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: D. T. Ryan and S. L. Mullen.

For Administration: Inspector Meyer, Fire Department, and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(947-40-A)

WHEREAS, Halsey, McCormack and Helmer, Incorporated, for North River Savings Bank, owner, filed September 30, 1940, an appeal from a decision of the fire commissioner; premises 206-212 West 34th street, south side, 100 ft. west of Seventh avenue (Block No. 783, Lot No. 50), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated September 24, 1940, reads:

"RE: NORTH RIVER SAVINGS BANK, 206 WEST 34 STREET. NEW INSTALLATION OF AIR CONDITIONING SYSTEM.

In reply to your letter of September 11, 1940, re proposed installation of a direct expansion equipment I have to advise you that proposition does not conform to Section C-19.98.0 of the Administrative Code."

and

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WHEREAS, the building is one story (39 ft.) in height, 67 ft. 7 in. by 89 ft. 9 in. in area; of Class 1 construction; located in a business use B area district; erected in 1923, and occupied: cellar, bank vault and storage rooms, 3 persons; first story, bank, 85 persons; and

WHEREAS, it is proposed to install direct expansion air-conditioning equipment on the second mezzanine of the building in question; and

WHEREAS, the applicant contends that the building is occupied by a single tenant, is but one story in height with two mezzanines; that the first mezzanine is open to the main bank room; that the second mezzanine is actually a part of the attic space above the ceiling of main bank; that no persons are employed on the second mezzanine; that the equipment to be installed consists of one 7½-ton and one 15-ton self-contained air conditioner; the 7½-ton unit consists of 7½ horsepower compressor and the 15-ton unit consists of two 7½ horsepower compressors; that evaporating condensers will be located on the roof; that the 7½-ton unit will contain forty-nine pounds of F-12 refrigerant and the 15-ton unit will contain seventy pounds of F-12 refrigerant; that to locate the equipment at any other point in the building would undoubtedly entail additional expense and be a hardship to the owner in view of the fact that all other parts of the building are required for the proper functioning of the bank; that the system as designed is not hazardous and is not in violation of C-19-98.0 as it is confined to a one-story building occupied by a single tenant.

Resolved, that the decision of the fire commissioner, dated September 24, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the air-conditioning system shall be installed substantially as indicated to the entire satisfaction of the fire commissioner; that in all other respects the building shall comply with the requirements of section C-19-98.0 of the Administrative Code.

971-40-A.

APPLICANT—William O. Staber, for Louis Holland, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—27-09 154th street, east side, 80 ft. south of 27th avenue (Block No. 4850, Lot Nos. 5 and 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(971-40-A)

WHEREAS, William O. Staber, for Louis Holland, owner, filed October 4, 1940, an appeal from a decision of the borough superintendent of buildings; premises 27-09 154th street, east side, 80 ft. south of 27th avenue (Block No. 4850, Lot Nos. 5 and 6), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6507-40, dated September 26, 1940, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area; located in a business use D area district, on which it is proposed to erect a one and one-half story, frame, one-family dwelling 23 ft. in height and 25 ft. by 46 ft. 4 in. in area; the dwelling will be set back from 154th street for a

distance of 20 ft., into which setback front entrance steps will project for approximately 4 ft.; a side yard will be provided on the north side of 4 ft. in width, except that side entrance steps, front entrance steps and vestibule will project into such yard for approximately 3 ft.; a side yard will be provided on the south side of 11 ft. in width; the garage will be of Class 3 construction and be located not nearer than 1 ft. to the side and rear lot lines; the dwelling will be finished on the exterior with masonry veneer, except for the frame gables, which will be surfaced on the exterior with wood siding; roofs will be surfaced with asphalt shingles, except for the roof dock over the open porch at rear, which will be surfaced with approved materials; and

WHEREAS, the applicant contends that the west side of 154th street, between 27th and 28th avenues, and the southeast corner of 154th street and 27th avenue, are now improved with substantial residence buildings of modern design; that these restrictions require that all structures facing 154th street must be set back not less than 20 ft., thereby further establishing the residential character of the neighborhood; that in view of these facts, applicant requests that a modification be granted to permit the construction of the frame dwelling as proposed.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 6507-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed and occupied substantially as proposed; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits; that the building shall be restricted to single family occupancy and the garage as an accessory thereto.

980-40-A.

APPLICANT—William J. Cosgrove, for Kings County Trust Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—5027 Third avenue and 301-311 51st street, northeast corner (Block No. 790, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William J. Cosgrove.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(980-40-A)

WHEREAS, William J. Cosgrove, for Kings County Trust Company, owner, filed October 8, 1940, an appeal from a decision of the borough superintendent of buildings; premises 5027 Third avenue and 301-311 51st street, northeast corner (Block No. 790, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4081-40, dated October 8, 1940, reads:

"M.D.L.

1. Proposed increase from 2 families and stores to six families and stores necessitates a compliance with Art. III and Art. V of the Multiple Dwelling Law. Since building was removed from Tenement Classification in 1937 and subsequent to April 18, 1929, it may not be considered as a restoration in accordance with Sec. 8 s.d. 1."

and

WHEREAS, the building is four stories (45 ft.) in height, 25 ft. by 100 ft. in area at first story and 20 ft. by 65 ft. 8

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in, at typical floor level; of Class 3 construction; located in a business use district; erected in 1897, and occupied: cellar, ordinary use; first story, stores; second story, one family; third story, one family; fourth story, vacant; it is proposed to be occupied: cellar, same; first story, same; second story, two families; third story, two families; fourth story, two families; and

WHEREAS, the applicant contends that prior to 1933 this building was used as a multiple dwelling; that the building was reclassified in 1937 as a two-family dwelling with stores, with the fourth story to remain vacant; that at that time, in order to receive such classification, the plumbing fixtures were removed on the fourth story; that the interior stairway from the third to fourth story was removed and a ladder substituted leading to trap door in the floor of the fourth story so that the building could be occupied for more than two families; that it is now proposed to alter the building to comply with the Multiple Dwelling Law; that this application was denied by the Building Department on the grounds that the building was converted to other uses after the effective date of section 8 of the Multiple Dwelling Law; that an interpretation of the provisions of the Multiple Dwelling Law is now requested; and

WHEREAS, in the opinion of the Board the building was improperly classified and Certificate of Occupancy No. 82816 improperly issued on June 17, 1937.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 4081-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, revoking the certificate of occupancy, so that the owner can carry out his intention under the alteration application to restore the building formerly a tenement to a tenement in full compliance with the requirements set forth in article 7 of the Multiple Dwelling Law.

987-40-A.

APPLICANT—Harry P. Jaenike, for Gramercy Park Apartments, Incorporated, owner (Mrs. S. Fred Stockham, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—215-221 West 82nd street, northeast corner of Broadway (Block No. 1230, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry P. Jaenike and Rosetta Stockham.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(987-40-A)

WHEREAS, Harry P. Jaenike, for Gramercy Park Apartments, Incorporated, owner (Mrs. S. Fred Stockham, lessee), filed October 11, 1940, an appeal from a decision of the borough superintendent of buildings; premises 215-221 West 82nd street, northeast corner of Broadway (Block No. 1230, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, dated October 10, 1940, reads:

"Replying to your letter of October 7th, 1940, in relation to premises 221 West 82nd Street, in which you request permission to use an apartment in the pent house of the above mentioned building for school purposes, please be advised that in accordance with the rules of this department, private school is permitted on the first floor of a multiple dwelling only.

Your request for the use of the pent house for school purposes is, therefore, denied as same would be contrary to the Administrative Code as building is not a public building."

and

WHEREAS, the building is fourteen stories (217 ft.) in height, 142.4 ft. by 102.2 ft. in area; of Class 1 construction; located in a business use B area district; erected in 1923; occupied as a multiple dwelling, with stores on the first story, and two housekeeping apartments and seven servants' rooms and pent house; it is proposed to be occupied without change, except that pent house will be used for one housekeeping apartment, seven servants' rooms and kindergarten for twenty children; and

WHEREAS, Rule 19.0 promulgated December 30, 1938, by Department Order HD-2838, revised, reads:

"Kindergartens—Day Nurseries

Kindergartens and Day Nurseries will be permitted in Multiple Dwellings *only* where the portion of the building so used is located on the *entrance* story. It shall not be permitted to maintain any kindergarten or Day Nursery on any story above or below the entrance story. Where any portion of the entrance story of any Multiple Dwelling is used as an existing kindergarten or day nursery space shall be entirely separated from all other portions of the building with fireproof materials in fireproof buildings and with fire retarding materials in non-fireproof buildings and shall also conform to the requirements set forth in Rule 12.4. (Egress, toilet facilities and Building Code requirements shall be enforced by the Division of Buildings as stated in Rule 1.2)."

and

WHEREAS, the applicant contends that there is nothing in the Building Code or Multiple Dwelling Law which prohibits the proposed use; that such use is only prohibited by the ruling of the Department of Housing and Buildings; that at the present time the children are transported to the park where they are subject to mixing with other children with the possibility of picking up various diseases; that if the children are restricted to the first story classrooms, they will be subject to confining areas, with lack of light and air and subject to poisonous gases of the street; that the school and pent house will consist of twenty pupils, and there will be two attendants on duty at all times; that the building is fireproof, with four means of egress from the pent house, in addition to four elevators; that these means of egress are remote; that four elevator operators will be on duty at all times during which the school is in operation; and

WHEREAS, the Board deemed that the rule promulgated by the Housing Division of the Department of Housing and Buildings prohibiting school occupancy above the first story is desirable.

Resolved, that the decision of the borough superintendent of buildings, dated October 10, 1940, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

867-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-03 to 46-51 192nd street, northeast corner of 47th avenue, southeast corner of 46th avenue and east side of 192nd street, 40 ft., 80 ft., 120 ft., 160 ft., 200 ft., 240 ft., 280 ft., 320 ft., 360 ft., 400 ft. and 440 ft. south of 46th avenue (Block No. 5548, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

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ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(867-40-A)

WHEREAS, this appeal from decisions of the borough superintendent of buildings, premises 46-03 to 46-51 192nd street, east side, between 46th avenue and 47th avenue (Hollis Court boulevard) (Block No. 5548, Lot No. 1), Flushing, Borough of Queens, was granted by the Board September 17, 1940, on certain conditions, and the applicant requests an amendment of the proposal as shown in the preamble to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the proposal as set forth in the third WHEREAS clause, as to the description of the proposed dwelling, so that as amended this portion of the preamble to the resolution shall read:

“... to erect on each lot a one-story, frame, one-family dwelling, 18 ft. in height and not exceeding 25 ft. by 41 ft. in area. . . .”

868-40-A.
APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—45-35, 45-39, 45-43, 45-47, 47-51, 45-55, 45-59, 45-63 and 45-67 192nd street, northeast corner of 46th avenue and east side of 192nd street, 40 ft., 80 ft., 120 ft., 160 ft., 200 ft., 240 ft., 280 ft. and 320 ft. north of 46th avenue (Block No. 5534, Lot No. 135), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Frank C. Keller.
For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(868-40-A)

WHEREAS, this appeal from decisions of the borough superintendent of buildings, premises 45-35 to 45-67 192nd street, east side, running north from 46th avenue (Block No. 5534, Lot No. 135), Flushing, Borough of Queens, was granted by the Board September 17, 1940, on certain conditions, and the applicant requested an amendment of the proposal as shown in the preamble to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the proposal as set forth in the third WHEREAS clause, as to the description of the proposed dwelling, so that as amended this portion of the preamble to the resolution shall read:

“... to erect on each lot a one-story, frame, one-family dwelling, 18 ft. in height and not exceeding 25 ft. by 41 ft. in area. . . .”

869-40-A.
APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-28, 46-32, 46-40 and 46-46 192nd street, southwest corner of 46th road and northwest corner of Hollis Court boulevard, west side of 192nd street, 40 ft., 80 ft. and 120 ft. south of 46th road, 189-46 and 189-50 46th road, south side, 100 ft. and 140 ft. west of 192nd street (Block No. 5533, Lot No. 13), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Frank C. Keller.
For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(869-40-A)

WHEREAS, this appeal from decisions of the borough superintendent of buildings, premises 46-28 to 46-46 192nd street, west side, between 47th avenue (Hollis Court boulevard) and 46th road, and 189-46 to 189-50 46th road, south side, 100 ft. west of 192nd street (Block No. 5533, part of Lot No. 13), Flushing, Borough of Queens, was granted by the Board September 17, 1940, on certain conditions, and the applicant requested an amendment of the proposal as shown in the preamble to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the proposal as set forth in the third WHEREAS clause, as to the description of the proposed dwelling, so that as amended this portion of the preamble to the resolution shall read:

“... to erect on each lot a one-story, frame, one-family dwelling, 18 ft. in height and not exceeding 25 ft. by 41 ft. in area. . . .”

870-40-A.
APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—46-04, 46-08, 46-12, 46-16 and 46-20 192nd street, northwest corner of 46th road and southwest corner of 46th avenue, west side of 192nd street, 40 ft., 80 ft. and 120 ft. south of 46th avenue (Block No. 5532, part of Lot No. 28), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Frank C. Keller.
For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(870-40-A)

WHEREAS, this appeal from decisions of the borough superintendent of buildings, premises 46-04 to 46-20 192nd street, west side, between 46th avenue and 46th road (Block No. 5532, part of Lot No. 28), Flushing, Borough of Queens, was granted by the Board September 17, 1940, on certain conditions, and the applicant requested an amendment of the proposal as shown in the preamble to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the proposal as set forth in the third WHEREAS clause, as to the description of the proposed dwelling, so that

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as amended this portion of the preamble to the resolution shall read:

"... to erect on each lot a one-story, frame, one-family dwelling, 18 ft. in height and not exceeding 25 ft. by 41 ft. in area. . . ."

871-40-A.

APPLICANT—Frank C. Keller, for Supro Homes, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—45-66 and 45-70 192nd street, northwest corner of 46th avenue and west side of 192nd street, 40 ft. north of 46th avenue (Block No. 5531, Lot No. 50), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(871-40-A)

WHEREAS, this appeal from decisions of the borough superintendent of buildings, premises 45-66 and 45-70 192nd street, northwest corner of 46th avenue and west side of 192nd street, 40 ft. north of 46th avenue (Block No. 5531, Lot No. 50), Flushing, Borough of Queens, was granted by the Board September 17, 1940, on certain conditions, and the applicant requested an amendment of the proposal as shown in the preamble to the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the proposal as set forth in the third WHEREAS clause, as to the description of the proposed dwelling, so that as amended this portion of the preamble to the resolution shall read:

"... to erect on each lot a one-story, frame, one-family dwelling, 18 ft. in height and not exceeding 25 ft. by 41 ft. in area. . . ."

VARIATION OF THE LABOR LAW.

811-40-S.

APPLICANT—DeVere Press, Incorporated (lessee), for Mary Hauser, owner.

SUBJECT—Variation from the requirements of the Labor Law as cited in an order of the fire commissioner.

PREMISES AFFECTED—175 Shepherd avenue, east side, 120 ft. south of Fulton street (Block No. 3958, Lot No. 134), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward M. Herrschaft.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(811-40-S)

WHEREAS, DeVere Press, Incorporated (lessee), for Mary Hauser, owner, filed July 22, 1940, an application for a variation from the requirements of the Labor Law as cited in an

order of the fire commissioner; premises 175 Shepherd avenue, east side, 120 ft. south of Fulton street (Block No. 3958, Lot No. 134), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 5041-LF, dated June 21, 1940, reads:

"1. Arrange iron bars on windows on each side of the building on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Section 272 of the Labor Law."

and

WHEREAS, the building is two stories (24 ft.) in height, 21 ft. by 90 ft. in area at first story and 21 ft. by 60 ft. in area at second story; of Class 3 construction; located in a business use district; erected in 1915, and occupied: first story, printing, 6 persons; second story, vacant; the building is equipped with one interior wood stairs, 40 in. wide, extending to roof, thence by iron ladder to scuttle and direct to street; the stair enclosure is metal on wood studs, with ceiling similarly covered with metal; stair doors are of wood and glass; there is one fire escape provided at the south side of the building, which leads from second story to grade by means of counterbalanced stairs, and egress therefrom can be had to the street by means of a 4 ft. alleyway; windows on the course of which are kalameined frames and sash and glazed with plain glass; and

WHEREAS, the applicant contends that the area of the building is small, so that no employee can be more than 20 ft. away from an unbarred exit; that adequate exits are provided for the first story; that there is very little combustible stock on the premises; that any paper stored is solidly stacked and does not burn rapidly; that all of the doors, except the main entrance door on the Shepherd avenue front, are equipped with sliding bolts on the inside but are kept open during working hours.

Resolved, that the order of the fire commissioner, Order No. 5041-LF, Objection No. 1, be and it hereby is modified and that the application be and it hereby is granted on condition that the exits as shown on plans filed with this appeal shall be maintained; that on the side of the building opposite the exits at least one (1) window shall be so arranged as to be readily openable from the exterior during working hours; that this variance shall continue only as long as the building remains occupied as shown and the second story remains vacant or is occupied by the owner for non-factory occupancy and the first story remains generally undivided.

MATERIALS SUBMITTED FOR APPROVAL.

977-39-SM.

APPLICANT—Bimco Trading, Incorporated, owner.

SUBJECT—Aalborg Portland Cement, approval of.

APPEARANCES—

For Applicant: Jere A. Feeks.

ACTION OF BOARD—Application for approval withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

978-39-SM.

APPLICANT—Bimco Trading, Incorporated, owner.

SUBJECT—Aalborg White Portland Cement, approval of.

APPEARANCES—

For Applicant: Jere A. Feeks.

ACTION OF BOARD—Application for approval withdrawn.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

663-40-SM.

APPLICANT—Superior Steel Door and Trim Company,
Incorporated, owner.

SUBJECT—Better Built One Hour Hollow Metal Door,
approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval with-
drawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

213-40-SM.

APPLICANT—New England Lime Company, owner.

SUBJECT—Application for consideration—reopening and
amendment of resolution—re Approval under name
of 4-X Lime—re Nelco Snowite, Granular, Granu-
lated and Pulverized Quicklime, previously ap-
proved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolu-
tion amended.

THE VOTE TO REOPEN AND AMEND RESOLU- TION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(213-40-SM)

WHEREAS, The New England Lime Company, of Adams,
Massachusetts, and Canaan, Connecticut, owner, filed Feb-
ruary 28, 1940, an application with the Board of Standards
and Appeals for the approval of the material known as
Nelco, Snowite Granular Finishing Lime, Nelco Adams
Granular Finishing Lime, Nelco Granulated Masonry Lime,
Nelco Pulverized Masonry Lime, Nelco Ez-on Blended
Finish, Nelco Masons Hydrate, Nelco Finishing Hydrate
and Nelco Pulvo Quicklime; and

WHEREAS, this material was approved by the Board April
30, 1940, in accordance with the report of the Committee on
Tests; and

WHEREAS, the applicant requested reopening of the ap-
plication and amendment of the resolution so as to market
this material under the names of "4-X and Nelco 4-X".

Resolved, that the Board of Standards and Appeals does
hereby amend its resolution adopted April 30, 1940, so that
as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals
does hereby approve the materials known as Nelco Sno-
wite Granular Finishing Lime, Nelco Adams Granular
Finishing Lime, Nelco Granulated Masonry Lime, Nelco
Pulverized Masonry Lime, Nelco Ez-on Blended Finish,
Nelco Masons Hydrate, Nelco Finishing Hydrate and
Nelco Pulvo Quicklime, on condition that these mate-
rials be manufactured, used, and labeled, stamped or
tagged in accordance with the report of the Committee
on Tests.

Resolved further, that this product may be marketed
under the names of '4-X or Nelco 4-X', provided that
under whichever name it is marketed, the requirements
of this resolution shall be complied with."

491-40-SM.

APPLICANT—The Richmond Fireproof Door Company,
owner.

SUBJECT—Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour Flush
Kalamein Swing Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance
with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(491-40-SM)

WHEREAS, The Richmond Fireproof Door Company,
owner, filed May 8, 1940, an application with the Board of
Standards and Appeals for approval of the material known
as the Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour Flush Kalamein
Swing Door; and

WHEREAS, this material was submitted to the Committee
on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 3, 1940.

Re: Cal. No. 491-40-SM.

Subject: Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour Flush Kala-
mein Swing Door, approval of.

The Richmond Fireproof Door Company, Richmond,
Indiana, filed on May 8, 1940, an application with the
Board of Standards and Appeals for approval of the
material known as Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour
Flush Kalamein Swing Door under the provisions of
section C26-610.0 (10.1.18), Administrative Building
Code.

Tests of the sample doors were performed before a
committee of the Board at the Underwriters' Labora-
tories, Incorporated, in Chicago, Illinois (Report No.
R1614, filed herewith) under the supervision of M. J.
O'Brien, Assistant Engineer, Protection Department of
Underwriters' Laboratories, Incorporated, and were
conducted in accordance with the requirements of sec-
tion C26-610.0 (10.1.18), Administrative Building Code,
entitled "Fire Tests of Opening Protective Assem-
blies".

The test doors (Fig. 1) (except for corrections re-
quired by the committee) were constructed at the ap-
plicant's factory at Richmond, Indiana, the test on door
No. 2 being necessitated by the failure of door No. 1
due to warpage and passage of smoke, because of the
excessive length of the door. The size of door No. 2
was 6 ft. 8 in. (instead of 8 ft.) by 3 ft. 11 in. by $1\frac{3}{4}$
in., mortised, reinforced, drilled and tapped for hard-
ware. The core consisted of two-ply white pine 8 in.
boards, tongued and grooved, vertical ply dressed to
27/32 in. and horizontal ply to 25/32 in. thickness as-
sembled with 1/16 in. sheet of asbestos full width and
height and 24 gauge by 2 in. steel strips under each
vertical covering seam between layers. Height of as-
sembly $1\frac{1}{2}$ in. less than that of finished core. Top and
bottom edges completed with 25 gauge by $1\frac{1}{2}$ in. steel
strips placed under $\frac{3}{4}$ in. thick white pine strips nailed
to two-ply assembly. Core was assembled with 2 in.
clinch type cut nails. Both faces of core were plowed
out for inverted seam caps. Top and bottom edges were
square, vertical edges beveled $\frac{1}{8}$ in. in 2 in.

Metal covering was of No. 24 U.S. gauge galvanized
stretched leveled steel. Vertical edge and side sheets
continuous, extended beyond core to form seams at top
and bottom edges. Seam caps of 22 U.S. gauge were
laid in core grooves and nailed with $1\frac{1}{2}$ in. No. 14
"screw nails" on 8 in. maximum centers. Edge and
side sheets with flanged edges were slid endwise into

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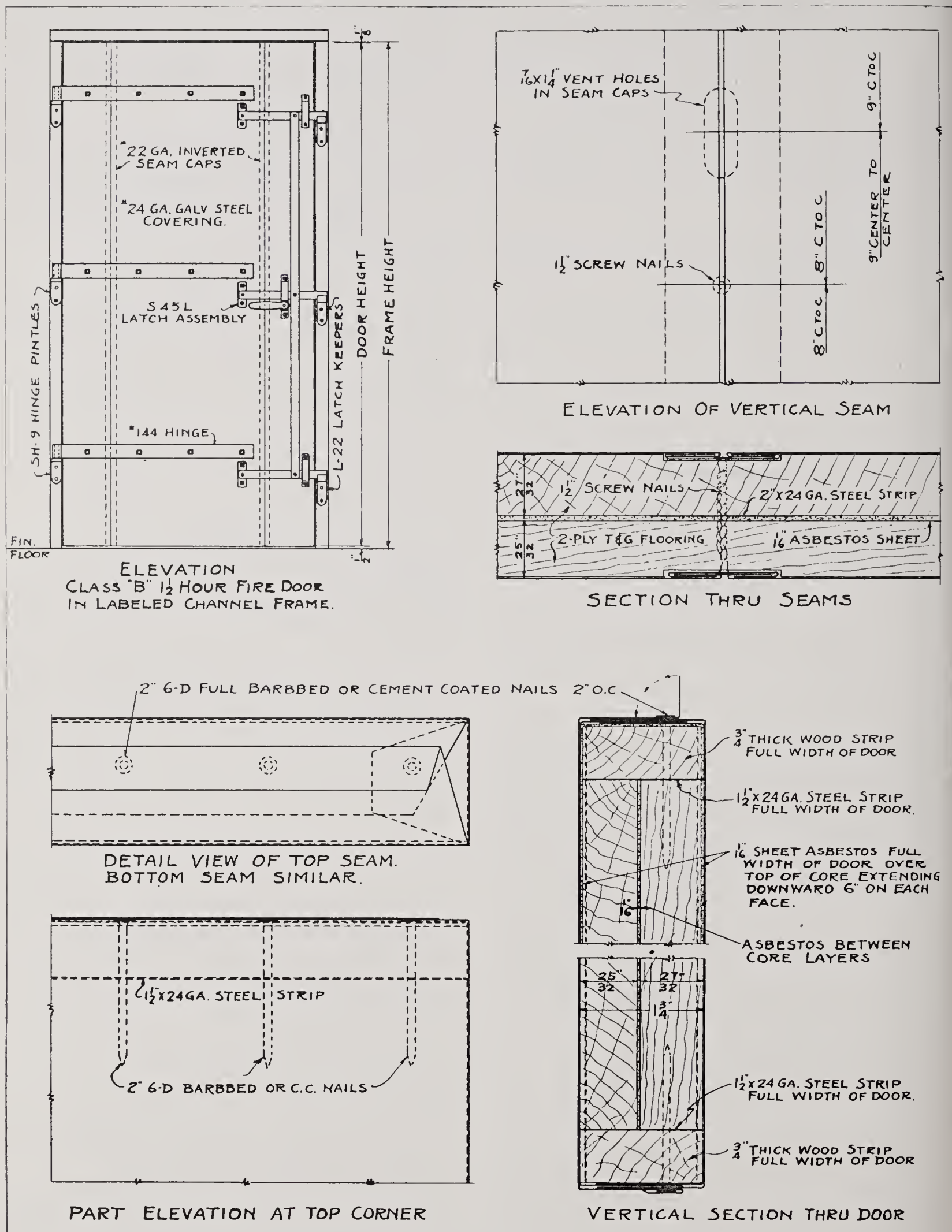


Figure 1

MINUTES

seam caps and flattened to form lock seams. Top and bottom seams were formed by lapping extended edges of metal, nailing with 2 in. six-penny nails 2 in. o.c. and folding outer lap back over nail heads. The nails pierced the 24 gauge metal strips under the $\frac{3}{4}$ in. wood strips. Two 4 in. long and $\frac{1}{8}$ in. by $1\frac{5}{8}$ in. clips attached with $\frac{1}{4}$ in. flathead machine screws were used for lock reinforcements. For vent holes all seam caps were punched 8 in. maximum o.c. Completed vertical seam caps were soldered over and sanded. Exposed side had three 3 in. diameter holes 12 in. from lock edge, 12 in. from top, 6 in. above lock and 12 in. from bottom, respectively. Unexposed side had one 3 in. diameter hole 12 in. from hinge side and 40 in. from top. The metal discs so cut out were replaced and soldered. The metal around the holes was secured with six $\frac{3}{4}$ in. nails. The lock was a Sargent OP 6828—lock set OP 4748 TCF with cylinder on stop side. The lock mortise was lined with asbestos paper and the lock case enclosed in a 24 gauge steel box set in the mortise. The door was hung on three Stanley No. BB 169 5 in. full surface butt hinges. The frame was composed of 8 in. 11.5 pound channel jambs and head with $\frac{3}{4}$ in. square steel stops welded thereto forming a rabbet $1\frac{15}{16}$ in. deep. The sill was of 8 in. channel steel and the net opening was 3 ft. $11\frac{1}{4}$ in. by 6 ft. $8\frac{1}{2}$ in. The jambs were each provided with four adjustable anchors. The clearances along the hinge edge were from $\frac{1}{64}$ in. at center, $\frac{19}{32}$ in. at top and $\frac{3}{16}$ in. at bottom; along the lock edge $\frac{5}{32}$ in. adjacent to the lock, $\frac{13}{32}$ in. at top and $\frac{9}{32}$ in. at the bottom; along the top $\frac{17}{32}$ in. at hinge edge, $\frac{11}{64}$ in. at the center and $\frac{17}{64}$ in. at lock edge. The throw of the latch bar of the lock was $\frac{3}{4}$ in.

TEST

The test was conducted in conformity with the standard time-temperature curve and was maintained within the 5 per cent. area tolerance for the one and one-half hour period. Observation of the exposed face of the door showing considerable buckling of the metal covering during the first five minutes, little change thereafter except that a sharp buckle in the metal adjacent to the lock was observed at ten minutes. Flames from the vents appeared during the first five minutes and continued in volume until about the sixty-minute point, then gradually decreased though flames were still apparent at the ninety-minute point. On the exposed side observation showed a bulging of the upper and lower corners of the door away from the stop of the frame of $3\frac{1}{2}$ in. at the end of sixty minutes, the bulging having been progressive from the five-minute period. The section of the door adjacent to the lock remained securely in position due in part to the tendency of the frame to bulge toward the middle of the opening, thus acting as a vise. Smoke first appeared from around the lock at about ten minutes, then gradually decreased until about thirty minutes to sixty minutes when small jets of smoke issued from the seams and lock. The maximum reduction in visibility in the observation chamber was 9 per cent. A flicker of flame first appeared at the seam in the metal covering adjacent to the upper lock corner at twenty-five minutes; these flickers of flame appeared at intervals during the remainder of the test. Owing to the general bulge of the upper and lower edges of the door, an opening into the furnace was apparent during the latter part of the test. This bulging was due to the buckling of the unexposed metal covering and to general insecurity of the upper and lower corner of the lock edge. The average temperature on the unexposed side of the forty-five-minute point was 199 degrees Fahrenheit, a rise of 123 degrees from the initial 76 degrees. A bare thermocouple in contact with the door showed 187 degrees Fahrenheit and a thermocouple 18 in. away registered 112 degrees Fahrenheit. After the one and one-half hour exposure to fire, the door was withdrawn from the furnace and

the exposed face was immediately subjected to the impact and cooling action of a thirty-pound water stream applied for forty-five seconds, with no apparent effect on the structural stability of the door.

On the basis of these tests and data, the Committee

RECOMMENDATION

on Tests recommends the approval of the Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour Flush Kalamein Swing Door when constructed and hung as provided herein with the following changes. Door sizes are to be restricted to openings not exceeding 3 ft. in width and 7 ft. in height, when equipped with three surface hinges and a three point latching mechanism of the design now listed and labeled for standard two-ply tin-clad doors as shown in Figure 1; the type of seam and venting of the metal covering is to conform to the construction shown by Figure 1, which eliminates the necessity of grinding away the galvanizing in the area adjacent to the vent holes. The approval is for use as an opening protective assembly in fire partitions (one and one-half hours) under C26-661.0 (10.8.2) and as an opening protective assembly in fireproof partitions (three-quarter hour) under C26-662.0 (10.8.3) and as an opening protective assembly in a fireproof partition under the Multiple Dwelling Law which requires an assembly having a fire-resistive rating of one hour.

It is further recommended that all opening protective assemblies manufactured and labeled under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Fyrgard B N.Y.C. $\frac{3}{4}$ to $1\frac{1}{2}$ Hour Flush Kalamein Door, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

492-40-SM.

APPLICANT—The Richmond Fireproof Door Company, owner.

SUBJECT—Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Metal Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(492-40-SM)

WHEREAS, The Richmond Fireproof Door Company, owner, filed May 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 3, 1940.

Re: Cal. No. 492-40-SM.

Subject—Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door, approval of.

The Richmond Fireproof Door Company, owner, filed

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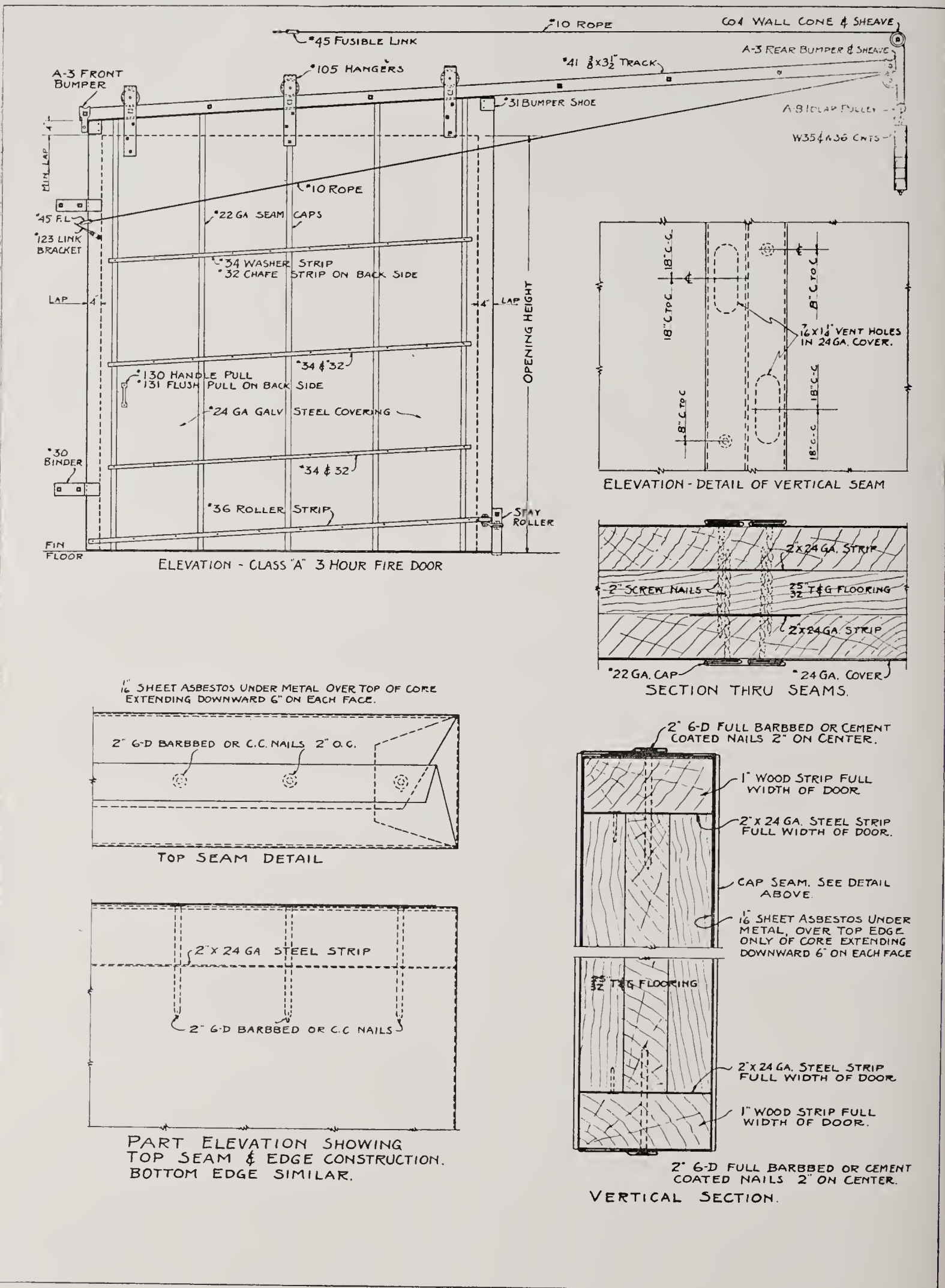


Figure 1

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on May 8, 1940, an application with the Board of Standards and Appeals for approval of the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door under the provisions of section C26-610.0 (10.1.18) and C26-660.0 (10.8.1), Administrative Building Code.

The test door (Fig. 1) was constructed at the factory of the applicant, in accordance with the following specifications as checked by the Underwriters' Laboratories:

Lumber was white pine tongue and groove flooring dressed two sides to 25/32 in. thickness, 8 in. wide.

Metal covering and seam reinforcing was of No. 24 U.S. gauge galvanized stretcher leveled steel.

Core assembly was of standard three-ply fire door construction, the outer layers vertical and center layer horizontal. Between the layers, directly under and parallel with each vertical seam, two 2 in. wide 24 gauge reinforcing strips were laid. Across the top and bottom edges of the core, 2 in. wide 24 gauge reinforcing strips were laid, over which 1 in. thick 2-11/32 in. wide wood strips were nailed to complete the core which was assembled with standard wrought iron clinch nails. All edges were square.

Application of metal covering—vertical edge sheets were preformed in channel shape fitting snugly over core with flanges locking into seam caps. Side sheets with flanged vertical edges were laid with edges close to each other and to edges of edge sheet. All sheets were secured with 2 in. screw nails on 8 in. maximum centers passing through covering, core and the seam reinforcing strips beneath. The seam cap strips were then slid over the upturned sheet flanges and the seams flattened and locked. The extending edges of covering sheets and cap extensions at top and bottom of core were folded over and secured with 2 in. six-penny barbed nails 2 in. o.c.

Vent holes—two 3 in. diameter vent holes on each side of the door were cut at the factory 42 in. in from the side edges and 24 in. from the top. Two more were cut at the laboratory before the test, metal around each of the holes being secured with six 1 in. nails.

Hardware—handle was No. 130 and flush pull No. 131 cast iron. The flush pull was mortised into the unexposed side of the door and the handle was attached through the door with two 3/8 in. flathead stove bolts. There were also two No. 9 1/4 in. flathead wood screws provided for flush pull. Hangers were standard for three-ply fire doors, each attached to door with 1/2 in. by 3 1/2 in. bolts. Bumper shoes were of No. 14 U.S. gauge flat steel, one at each top corner and one behind each binder attached to the door with flathead wood screws. Chafe strips were 3/16 by 3/4 half oval steel 9 ft. 8 in. long on unexposed side. Washer strips were 1/8 in. by 1 in. flat steel 9 ft. 8 in. long on exposed side of door, bolted together through the door by 1/4 in. countersunk bolts. Roller strip was 1/8 in. by 1 1/2 in. flat steel 10 ft. 3 in. long and malleable iron wedge (to bear against guide roller) attached to door with flathead wood screws. The track was 3/8 in. by 3 1/2 in. bar track 12 ft. 2 in. long secured by 3/4 in. wall bolts 2 in. o.c. The finished door was 10 ft. 8 in. wide, 10 ft. 3 5/8 in. high and 2-13/32 in. thick. The door was galvanized and unpainted and when hung had a clearance of 3/8 in. between the lower edge of the track and the top of the door. A clearance of 3/8 in. was noted between the top and vertical edges of the door and the masonry and between the lower edge and the sill. The door lapped the opening 4 in. at each side, top and bottom when in a closed position.

TEST

Tests were conducted on the door at the Underwriters' Laboratories, Incorporated, Chicago, Illinois, on July 8, 1940 (Report No. R-224 filed herewith) and witnessed by a committee of the Board, consisting of Commissioners Blum and Savage and Chief Engineer Huber. These tests were conducted in accordance with the requirements of Group 5 and Group 18, Sub. Art. 1 of Art. II, Administrative Building Code titled "Fire

Resistive Materials", and were in conformity with the standard time-temperature curve and the record indicates that the temperatures were maintained within the 5 per cent. tolerance for the three hours. The average temperature at the end of forty-five minutes was 152 degrees Fahrenheit from which the initial temperature of 69.7 degrees Fahrenheit was subtracted, giving a net increase of average temperature on the unexposed side of 82.3 degrees Fahrenheit, which is well within the requirements of section C26-610.0 (10.1.18). At no time during the test was there smoke or flame in volume from the test assembly. At the end of three hours the door was subjected to the standard hose stream test with no apparent change in structural stability.

RECOMMENDATION

On the basis of the foregoing data and tests, the Committee on Tests recommends the approval of the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door when constructed according to the size and specifications herein with the following changes: (a) The top edge of the three-ply wood core shall be covered with a continuous piece of 1/16 in. asbestos under the metal covering, the strip to extend along the top and down each face not less than 6 in. (b) Type of vent hole shown on Fig. 1 shall be employed, to overcome the necessity of grinding away the galvanizing after the vent holes are filled with solder. (c) Bolts for attachment of the hangers to the door shall be provided with substantial washers to keep the bolts from pulling through the metal covering on the unexposed face. (d) The stay roll at the lower corner of the door shall be so installed that the center of the roller will contact the door when closed by not less than 2 in. The approval is for use on both level and inclined tracks as an opening protective assembly in fire walls (three hours) under section C26-660.0 (10.8.1), as a protection of openings in fire partitions (one and one-half hours) under section C26-661.0 (10.8.2) as a protection of openings in fireproof partitions under section C26-662.0 (10.8.3), Administrative Building Code, and as a fireproof door under Art. 1, section 4, subdivision 10, Multiple Dwelling Law.

It is further recommended that all opening protective assemblies manufactured and labeled under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 5:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on April 30, 1940, as they appeared in Bulletin No. 19, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(738-38-BZ)

WHEREAS, Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners, filed August 23, 1938, an application under sections 7a and 21 of the building zone reso-

MINUTES

lution, to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubritory, auto laundry, and for sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meetings of January 17, 1939, and April 30, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean avenue is in a residence and business use district; Kenmore place and Avenue N are in residence use districts; Avenue M is in a business use district; and

WHEREAS, the decision of the borough superintendent dated August 15, 1938; as amended by decision dated December 9, 1938, reads:

"The legality of the present occupancy of the above premises as a gasoline station and motor vehicle repair shop was questioned by Commissioner Thatcher under date of November 18, 1937. An application to revoke the certificate of occupancy of above now pending before the Board of Standards and Appeals.

The extensions of the area of the said gasoline service station and the erection of a building to be used as a gasoline service station, office, lubritory, automobile laundry and for sale of accessories in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution and is therefore denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 110 ft., occupied as a gasoline service station; it is proposed to rearrange the station and to erect a new building, to be used as office, lubritory, auto laundry and for the sale of accessories and, also, to occupy the entire premises as a gasoline service station; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the premises under appeal, with a frontage of 100 ft. and a depth of 110 ft., to be occupied for a gasoline service station, *on condition* that all buildings on the site shall be completely removed and the plot leveled substantially to the grade of Ocean avenue; that the accessory building, walls, planting areas, entrances and gasoline pumps shall be located substantially as shown on plan marked "Received April 22, 1940"; that on the rear lot line, where not occupied by accessory building, there shall be erected a brick wall not less than 7 ft. in height; that a similar wall

shall be erected on each side lot line from the rear lot line to street building line, except that such wall from the street building line to a point approximately opposite the front of the accessory building, may be constructed with brick posts and brick wall approximately 4 ft. in height with wood picket fence above; that a wall of similar design with wood picket fence shall be constructed from the accessory building to each side lot line with driveway openings approximately 12 ft. in width one on either side; that the accessory building shall be constructed of incombustible materials, except that the roof beams and boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the roof surface is of natural slate; that there shall be no windows or other openings on any interior lot line; that there shall be no open excavation under the accessory building; that gasoline pumps shall be of the parkway design, with masonry pedestals agreeing with the design of the accessory building, as approved by the Park Department for use on parkways; that such gasoline pumps shall not be nearer than 20 ft. to the building line of Ocean avenue; that the entire plot, where not covered by walls, planting, accessory building and pumps, shall be cement paved; that entrances shall be restricted to two, each 25 ft. in width, with curb cuts opposite of similar width; that no curb cuts shall be nearer than 5 ft. to the side lot lines as extended; that between entrances at the building line there shall be a planting area of 4 ft. in width, and this and other planting areas along the side walls and cross walls shall be protected with curbing not less than 6 in. in width and height; that the planting area at the front of the accessory building shall be enlarged so as to be approximately 6 ft. in width; that the heating equipment shall be separated from other portions of the accessory building by fireproof construction and enterable only from the exterior; that greasing equipment shall be of the hydraulic lift type; that there shall be no repairing done on the premises; that there shall be no parking of cars other than those being serviced; that the design of the building and walls shall be substantially as shown on plans marked "Received April 22, 1940"; that signs shall be restricted to signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that no portable gasoline pumps shall be used on or from the premises; that complete working drawings shall be submitted for approval by the Chairman in behalf of the Board, as in compliance with the general terms of this resolution, before same are filed with the borough superintendent; that such plans shall be filed within one month from the date of this resolution, and after approval all permits required shall be obtained and all work completed within one year thereafter.

* Correction—"6 ft." changed to "12 ft." in line 71 of resolution.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES, AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drapery, curtain or scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—

Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—

The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ¾-inch inside diameter.

5.6 FLAME TEST—

A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTING ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

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copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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New York City.

Vol. XXV	Subscription \$2.50 a year	OCTOBER 29, 1940	Single Copies, 5 cents By Mail, 8 cents	No. 44
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
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HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by coniforming to these directons.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 22, 1940.

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1001-40-A.....H.B.M....416-422 West 52nd street, south side, 199 ft. west of Ninth avenue (Block No. 1061, Lot Nos. 41-44, inclusive), Borough of Manhattan, N.B. 173-40.

1002-40-BZ....H.B.Bx....1550-1552 Jerome avenue, east side, 241.79 ft. south of East Mount Eden avenue (Block No. 2846, Lot Nos. 23, 24, 25 and part of Lot Nos. 22 and 26), Borough of The Bronx, N.B. 991-40.

1003-40-A.....H.B.Bx....1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx, Alt. 633-40.

1004-40-A.....H.B.R.....228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond, Decision—re Sign Applic. 14-39 and B.N. 65-39.

1005-40-BZ....H.B.Q.....42-11, 42-13, 42-17 and 42-19 Connecting highway, northwest corner of 43rd street (Block No. 180, Lot Nos. 82, 98 and part of Lot No. 106), Woodside, Borough of Queens, N.B. 5327-40 to N.B. 5330-40, inclusive.

1006-40-A.....H.B.Q.....141-43 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens, Misc. Applic. 8336-40.

1007-40-BZ....H.B.B.....256-264 Ashland place, west side, 60 ft. south of Fulton street and 172 ft. north of Lafayette avenue, and 83 Rockwell place (Block No. 2107, Lot Nos. 27, 29 and 30), Borough of Brooklyn, B.N. 1297-40.

1008-40-BZ....H.B.Bx....2348 Jerome avenue, east side, 95 ft. south of East 184th street

(Block No. 3187, Lot Nos. 19, 20 and 21), Borough of The Bronx, N.B. 420-40 to N.B. 422-40, inclusive.

1009-40-A.....H.B.M....13 Commerce street, north side 40 ft. 9½ in. west of Seventh avenue (Block No. 587, Lot No. 64), Borough of Manhattan, Alt. 3186-40.

1010-40-A.....H.B.Q.....80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens, Alt. 2468-40.

1011-40-A.....H.B.B.....357 Franklin avenue, east side 23 ft. north of Lexington avenue (Block No. 1968, Lot No. 2), Borough of Brooklyn, Alt. 3017-40.

1012-40-SA.....Faraday Non-Coded Closed Circuit Internal Fire Alarm System, Appliance

1013-40-BZ....H.B.Q.....62-73 to 62-85 Woodhaven boulevard and 88-02 to 88-08 62nd drive, southeast corner (Block No. 3108, Lot No. 160), Rego Park, Borough of Queens, N.B. 6746-40.

1014-40-A.....H.B.Q.....55-14 Grand avenue, south side 40 ft. west of 56th street (Block No. 2619, Lot No. 1), Maspeth, Borough of Queens, Misc. Applic. 7469-40.

DESIGNATIONS: H.B.—Department of Housing and Building; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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OCTOBER 29, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 29, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos.

17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 223-40-BZ—Application, March 1, 1940, under sections 21 and 7i of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Elmo Realty Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

CAL. NO. 578-40-BZ—Application, May 28, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ozark Realty Corporation, owner, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 1716-1726 Utica avenue, southwest corner of Avenue "I" (Block No. 7775, Lot No. 47), Borough of Brooklyn.

CAL. NO. 1289-39-BZ—Application, October 17, 1939, under sections 21 and 7h of the building zone resolution, of Charles Gomes, applicant and lessee, on behalf of Port of New York Authority, owner, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

CAL. NO. 124-36-BZ—Application of J. Jacques Stone, applicant, on behalf of Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee), reopened and restored to Calendar September 17, 1940, under section 7h of the building zone resolution, to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 347-40-BZ—Application of Thomas W. Lamb, Incorporated, applicant, on behalf of

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Bowery Savings Bank, owner, reopened September 10, 1940, under sections 7h and 21 of the building zone resolution, to permit in a business use district the maintenance, on a portion of the premises, for the parking and storage of more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

CAL. NO. 991-40-BZ—Application, October 11, 1940, under section 7a of the building zone resolution, of Herbert S. Thomson, applicant, on behalf of Unexcelled Manufacturing Company, owner, to permit in a residence use district the erection of three (3) business buildings to be used in conjunction with an existing plant for the manufacture of pyrotechnics; premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Buildings A, B and C); (Block No. 1660, Lot No. 1), Graniteville, Borough of Richmond.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

CAL. NO. 544-40-BZ—Application, May 20, 1940, under sections 21 and 7c of the building zone resolution, of Morris Perlstein, applicant, on behalf of Coney Island Soda Water Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office

and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

CAL. NO. 471-40-BZ—Application, May 6, 1940, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

Appeals from Administrative Decisions.

CAL. NO. 917-40-A-MD—Application, September 16, 1940, under section 60 of the Multiple Dwelling Law, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling; premises Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

623-40-A—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 29, 1940, 2 P. M.

Appeals from Administrative Decisions.

636-40-A—79 Rutgers Slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan.

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

65-39-A—512-522 East 152nd street, 601-605 Brook avenue, southwest corner, and 455-459 Westchester avenue, north side, 82 ft. 8½ in. west of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx.

805-40-A—150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 14), Borough of Brooklyn.

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984-40-A—135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan.

1001-40-A—416-422 West 52nd street, south side, 199 ft. west of Ninth avenue (Block No. 1061, Lot Nos. 41 to 44, inclusive), Borough of Manhattan.

864-40-A—511 Bedford avenue, east side, 10 ft. south of Taylor street (Block No. 2177, Lot No. 8), Borough of Brooklyn.

956-40-A—448-456 Kent avenue, northwest corner of South 10th street (Block No. 2143, Lot No. 1), Borough of Brooklyn.

994-40-A—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn.

999-40-A—400 Fifth avenue, west side, 26 ft. 6 in. north of Seventh street (Block No. 99, Lot No. 41), Borough of Brooklyn.

003-40-A—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

010-40-A—80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens.

945-40-A—112-20 Atlantic avenue, southwest corner of 113th street (Block No. 469, Lot Nos. 7 and 10), Richmond Hill, Borough of Queens.

004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 9, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 919-40-BZ—Application, September 17, 1940, under section 7j of the building zone resolution, of George A. Boehm, applicant, on behalf of Victor Moore and Broadway-75th Street Corporation, owners, to permit in a business use district the erection of a business building to be occupied in part as a bus station; premises 74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

CAL. NO. 953-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Electus D. Litchfield, applicant, on behalf of Fairchild Aviation Corporation, owner, to permit the erec-

tion of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district; premises 134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard (Block No. 9342, (236), Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

HARRISH H. MURDOCK, *Chairman.*

NOVEMBER 6, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 6, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 372-29-BZ—Application of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, reopened April 9, 1940, under section 21 of the building zone resolution, to permit the further extension into a residence use district of a business building (stores) previously granted by the Board; premises 2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company, owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided

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with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

CAL. NO. 494-40-BZ—Application, May 8, 1940, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Johanna C. Funke, owner, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation, owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

CAL. NO. 342-40-BZ—Application, April 4, 1940, under sections 7h and 21 of the building zone resolution, of Emil Levin, applicant, on behalf of Salvin Realty Company, Incorporated, and Emile E. Rathgeber, owners (S. Amaru, lessee), to permit in a business use district and residence use district the parking and storage of more than five (5) motor vehicles; premises 31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-18 43rd street, west side, 157.5 ft. south of 31st avenue (Block No. 692, Lot Nos. 36, 37 and 51), Astoria, Borough of Queens.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit

boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board) premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-04 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 860-40-BZ—Application, August 16, 1940, under sections 21 and 7f of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Fairtown Construction Corporation, owner, to permit in business use, "D" and "E" area district the erection of a business building covering a greater area of that portion of the plot within the "E" area district than permitted, to permit the omission of the required setback within the "E" area district and to use a portion of the building as a garage for more than five (5) motor vehicles; premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens.

Appeal from Administrative Decision.

982-40-A—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens (under section 35, General City Law—re Bed Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 6, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the building zone resolution, *Wednesday afternoon, November 6, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-70th drive, southeast corner of Sybil street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

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Appeals from Administrative Decisions.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

974-40-A—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

862-40-A—East side of Smith street, from Halleck to Sigourney streets (Block No. 493, Lot No. 1), Borough of Brooklyn.

1018-40-A—220-230 Madison avenue and 16-20 East 37th street, southwest corner (Block No. 866, Lot Nos. 18, 19, 20 and 60 to 68, inclusive), Borough of Manhattan.

1011-40-A—357 Franklin avenue, east side, 23 ft. north of Lexington avenue (Block No. 1968, Lot No. 2), Borough of Brooklyn.

1025-40-A—1936 Madison street, southeast corner of Fairview avenue (Block No. 3481, Lot No. 39), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 13, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9¾ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kolm, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 1182-39-BZ—Application, September 26, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Post Sherman Corporation, owner (Abraham Rubenstein, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

CAL. NO. 1493-39-BZ—Application, December 12, 1939, under sections 7h and 21 of the building zone resolution, of Valentine Bangert, applicant and lessee, on behalf of Henry W. S. Bangert, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 [892], Lot Nos. 38 and 41), Jamaica, Borough of Queens.

CAL. NO. 486-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of West 17th Street Realty Corporation, owner, to permit in a residence use district the maintenance of a motor vehicle repair shop; premises 254-256 West 17th street, south side, 152 ft. east of Eighth avenue (Block No. 766, Lot No. 75), Borough of Manhattan.

CAL. NO. 568-40-BZ—Application, May 25, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of 260 West 125th Street, Incorporated, owner, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 259-261 West 124th street, north side, 200 ft. east of Eighth avenue (Block No. 1930, part of Lot No. 55), Borough of Manhattan.

CAL. NO. 224-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Hanover Service Station, Incorporated, owner, reopened September 17, 1940, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service

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station (previously denied under section 21 of the building zone resolution); premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 13, 1940, 2 P. M.

Appeals from Administrative Decisions.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jerome Avenue Corporation, owner, reopened October 8, 1940, for consideration as to extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a tem-

porary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 19, 1940, 2 P. M.

Appeal from Administrative Decision.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor) (Block No. 706, Lot No. 1), Borough of Brooklyn.

DECEMBER 10, 1940, 2 P. M.

Appeal from Administrative Decision.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, OCTOBER 22, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, October 8, 1940, and the minutes of the

regular meeting of the Board held on Tuesday afternoon, October 8, 1940, were approved as printed in Bulletin No. 42, Vol. 25.

BUILDING ZONE CASES.

968-24-BZ.

APPLICANT—Arnold W. Lederer, for Abraham Chobroff

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and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn.

SUBJECT—Application reopened September 17, 1940, for consideration—re amendment of resolution—re decision of the borough superintendent of buildings—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above.

PREMISES AFFECTED—1922-1932 Kings highway, south side, 47 ft. 8½ in. south of Ocean avenue (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: Michael E. Pellegrino, Joseph Fennelley, Jr., and Elizabeth Perhauser.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M. Applicant to re-notify affected owners by regular mail and giving sketch and better description of proposal.

489-38-BZ.

APPLICANT—Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application reopened October 3, 1939, under section 21 of the building zone resolution—re decision of the borough superintendent of buildings, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board).

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to November 6, 1940, at 10 A.M., awaiting decision on another matter in vicinity.

249-39-BZ.

APPLICANT—Lama and Proskauer, for Koppers Company, owner.

SUBJECT—Application reopened and restored to Calendar September 17, 1940 (re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—84-11 to 84-21 Astoria boulevard, 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, A. R. Zachert and A. J. Wheeler.

For Opposition: Aaron H. Walowit, Dominick C. Carena and James Loccisano.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., for further inspection by the Board and decision without further argument.

375-40-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for Walter A. Beaudel, owner (Beaudel Brothers, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a resi-

dence use district the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to November 6, 1940, at 10 A.M., on request of applicant.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M. Applicant to submit revised plans by November 8th.

443-40-BZ.

APPLICANT—Jack Z. Cohen, for Depreciation Fund Board, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—890-892 Coney Island avenue, west side, 118 ft. 9¾ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and A. P. Backus.

For Opposition: Frederick B. Merkle, Charles A. Glirsten, Emanuel Pearlman and M. R. Herrmann.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for applicant to send out notices to revised list of owners.

88-36-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Incorporated, owner.

SUBJECT—Application reopened May 28, 1940 (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: Arthur H. Haaren, John G. Coleman and Robert G. Calder.

For Opposition: S. Drattler.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(88-36-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop on an existing gasoline service station, premises 3170-3173 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan, was granted by the Board July 7, 1936, on certain conditions, the resolution amended September 15, 1936, March 16, 1937, September 14, 1937, and February 23, 1938; and

WHEREAS, Arthur H. Haaren, for Kesbec, Incorporated, owner, filed May 21, 1940, an application, under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board May 28, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business and unrestricted use district; Tieman place is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, acting on a request for a certificate of occupancy, dated May 20, 1940, reads:

"In reply to your letter of May 16, 1940 with reference to your application dated April 2nd, 1940 for a certificate of occupancy for the parking and storage of more than 5 motor vehicles and explaining that time has expired in which to take appeal to Board of Standards and Appeals, we wish to advise you that this department has no authority to extend such time and our denial of April 9th, 1940 is herewith repeated:

'Relative to your application dated April 2nd, 1940 for a certificate of occupancy for the use of the above premises as a parking lot for more than five (5) motor vehicles, we wish to advise you that same has been denied as the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution.'

and

WHEREAS, the premises consist of a plot of ground with a frontage of 99 ft. and a depth of 100 ft. on which is located a one-story building occupied as a storeroom, lubritorium, office and a gasoline station; it is proposed to occupy a vacant portion of this plot for the parking and storage of not more than nineteen (19) automobiles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on July 7, 1936, as last amended February 23, 1938, so that as amended the resolution shall read:

"Granted, under section 21, permitting the rearrangement of the existing gasoline service station as indicated on revised plans marked 'Received February 17, 1937,' on condition that the building shall be constructed of fireproof materials, except that the roof

beams, roof boarding, window frames and sash, door frames and doors may be of wood, providing the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that the room for heater shall be separated from the balance of the accessory building by fireproof construction, enterable only from the exterior of the building; that in the event an air pressure machine is installed in the boiler-room, a ventilating duct shall be constructed through the roof of the building; that automobile repairing permitted on the plot shall be restricted to brake testing, brake adjusting, repairing of brakes, to be carried on in the space indicated on the revised plans marked 'Received February 17, 1937,' except that the portion of the accessory building where such work is proposed to be carried on may be omitted, provided the lot line walls are constructed of the height required herein and the surface of the ground paved with cement or Colprovia and permitting this portion of accessory building to be later constructed and the use herein permitted carried on therein, provided that such portions of the accessory buildings are constructed within two (2) years from the date of this amended resolution; that the entire plot where not covered by accessory building shall be paved either with cement or Colprovia; that gasoline pumps shall be relocated so that no gasoline pump is nearer to the street building line than 10 ft. as indicated on plan marked 'Received February 17, 1937'; that the curb cuts to Broadway and Tieman place shall not exceed those now existing; that there shall be erected along the southerly interior lot line and easterly interior lot lines, where walls of accessory building do not occur, a wall not less than 7 ft. in height, of masonry, to match construction of accessory building; that no portable gasoline pump shall be used on or from the premises; that no signs shall be permitted other than on the illuminated globes of the gasoline pumps and permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting a post standard to be erected within the Broadway building line near the intersection of Tieman place, supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, providing such sign does not extend beyond the building line for a distance of more than seven feet; that lights for illumination shall be by means of post standards with metal reflectors arranged to reflect downwardly; that plans marked 'Received February 17, 1937,' are hereby approved as being in substantial compliance with this resolution as to arrangement and design.

Resolved further, that in the event the owner desires to occupy the unused space on this plot for the parking and storage of not more than nineteen (19) motor vehicles, such parking and storage may be permitted for a term of two (2) years, under section 7, subdivision provided it shall be limited to motor vehicles of the pleasure-car type and parked as indicated on plans filed with the Board marked 'Received May 21, 1940'; that such space shall be marked out by painted lines on pavement showing each car space and allowing a space of not less than 15 in. between pairs of cars for easy access thereto; that no cars shall be parked other than as indicated on this plan."

332-40-BZ.

APPLICANT—Abraham N. Horwitz, for Harry Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—2749-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham N. Horwitz and Harry Bram.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Assistant Chief McCarthy 1

Negative: Chairman Murdock and Commissioners Savage and Blum 3

THE RESOLUTION—

(332-40-BZ)

WHEREAS, Abraham N. Horwitz, for Harry Bram, owner, filed April 2, 1940, an application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 2749-2771 Linden boulevard, north side, from Elderts lane to Forbell avenue (Block No. 4469A, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a residence use district; Dumont avenue is in a business use district; Forbell avenue and Elderts lane are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 488-40, dated March 7, 1940, reads:

"Proposed gasoline service station in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution and is therefore denied."

and

WHEREAS, the premises consist of a plot fronting 200 ft. on Linden boulevard, 100 ft. on Elderts lane and 100 ft. on Forbell avenue, upon which it is proposed to erect a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 488-40, be and it hereby is affirmed and that the application be and it hereby is denied.

6-40-BZ.

APPLICANT—Samuels and Samuels, for William J. Hamilton, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Ernest W. Brunner.

For Opposition: Maxim Ingber, Mrs. John Rigat, John N. Herlitz, Joseph David Taub and Mastromora.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(336-40-BZ)

WHEREAS, Samuels and Samuels, for William J. Hamilton, owner, filed April 3, 1940, an application, under sections 21 and 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 40-13 to 40-19 Junction boulevard, east side, 50.04 ft. north of 40th road (Block No. 1605, Lot No. 64), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Junction boulevard, 40th road and Roosevelt avenue are in business use districts; 97th street is in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 10301-39, dated March 5, 1940, reads:

"1. The construction of a gasoline service station within a business use district is contrary to Art. 2, Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75.6 ft. and a maximum depth of 95.8 ft., upon which it is proposed to erect a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship; and

WHEREAS, the Board further deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, of the building zone resolution.

Resolved, that the decision of the borough superintendent of buildings, acting on New Building Application No. 10301-39, Objection No. 1, be and it hereby is affirmed and that the application be and it hereby is denied.

431-40-BZ.

APPLICANT—Arthur H. Haaren, for George L. Slawson and Estate of William W. Lawrence, owners (Kesbec, Incorporated, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c, 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station.

PREMISES AFFECTED—317-329 West 59th street, north side, 186 ft. west of Columbus avenue (Block No. 1112, Lot Nos. 13, 14, 15, 115, 16 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur H. Haaren, John G. Coleman and Robert G. Calder.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

MINUTES

THE RESOLUTION—

(431-40-BZ)

WHEREAS, Arthur H. Haaren, for George L. Slawson and Estate of William W. Lawrence, owners (Kesebe, Incorporated, lessee), filed April 24, 1940, an application under sections 7c, 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 317-329 West 59th street, north side, 186 ft. west of Columbus Circle (Block No. 1112, Lot Nos. 13, 14, 15, 115, 16 and 17), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 59th street and Broadway are in business use districts; West 60th street is in a business and unrestricted use district; West 58th street is in a retail and business use district; Columbus Circle is in a business and retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 5, 1940, affecting premises 317-325 West 59th street, reads:

"Your application dated April 2, 1940, for a certificate of occupancy for use of the above premises for parking lot for more than five motor vehicles has been denied, as the premises are located in a business district where this occupancy is prohibited by Section 4, Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 137 ft. 3 in. on West 59th street, with a depth of 100.5 ft., now occupied in part as a gasoline service station and lunch wagon; it is proposed to also occupy that portion of the site, now occupied as a gasoline service station and lunch wagon, for the parking of more than five (5) motor vehicles and to occupy the adjoining 86 ft. to the west for the parking of more than five (5) motor vehicles in conjunction with the balance of the plot; and

WHEREAS, this property and surrounding area were inspected by a committee of the Board prior to hearing; and

WHEREAS, the Board deemed that it was a proper case in which it could exercise its discretion under section 7, subdivisions c and h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivisions c and h thereof, to permit the additional use of parking on the legally established gasoline station now erected on Lot No. 17, with a street frontage of 48 ft., and to permit the transient parking of motor vehicles of the pleasure-car type only on lots adjoining to the west, namely, Lot Nos. 13, 14, 15, 115 and 16, making a total frontage for such parking use on such lots of approximately 90 ft. in addition to the 48 ft. now occupied by gasoline station on Lot No. 17; that such gasoline station use on Lot No. 17 shall be entirely confined to such lot, and any gasoline pumps, buildings or greasing pits now operated in connection therewith shall be removed from adjoining lots and may be re-established on such Lot No. 17; that the lots herein permitted for parking use only shall be leveled substantially to the grade of West 59th street and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines, where walls of adjoining buildings do not occur, there shall be erected a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected along the street building line of 59th street, except for the two entrance openings, not more than 30 ft. in width each, such openings to be in addition to the existing opening to the existing gas station on Lot No. 17 having a frontage of 48 ft.; that signs advertising the parking use shall be restricted to a sign attached to

fence and not exceeding 15 sq. ft. in area and shall not extend beyond the building line; that during the term of this permit no building shall be erected on the lots on which parking is permitted exclusively, but such lots may be operated in conjunction with the gasoline station in adjoining Lot No. 17; that proper aisles shall be maintained at all times for easy entrance and exit and a space of not less than 15 in. shall be maintained between alternate rows of cars for easy access thereto; that proper portable fire-fighting equipment shall be maintained as the fire commissioner shall direct, and that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

605-40-BZ.

APPLICANT—Max Siegel, for City of New York, owner of Lot No. 28 (Brick's Service Station, lessee), and Brick's Service Station, owner of Lot Nos. 32 and 33.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c, 7f and 21 of the building zone resolution, to permit in a business use district the alteration and extension of an existing gasoline service station.

PREMISES AFFECTED—20-40 Grand Street Extension and 255-265 South 4th street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel and Paul Friedman.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy
Negative

THE RESOLUTION—

(605-40-BZ)

WHEREAS, Max Siegel, for City of New York, owner of Lot No. 28, and Brick's Service Station, owners of Lot Nos. 32 and 33 (Brick's Service Stations, Incorporated, lessee) filed June 6, 1940, an application, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension of an existing gasoline service station; premises 20-40 Grand Street Extension and 255-265 South 4th street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Street Extension, South 3rd street and Marcy avenue are in business use districts; South 4th street, South 5th street and Havemeyer street are each in business, residence and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1116-40, dated June 4, 1940, reads:

"The extension of a gasoline service station and the erection of a new building to be used as office, laundry and lubritorium in conjunction therewith, in a business use district is prohibited by Art. II, Sec. 4a (46) of the Building zone resolution."

and

WHEREAS, the premises consist of a plot fronting 169 ft. 5 3/4 in. on Grand Street Extension, 142 ft. 1/4 in. on South 4th street and 92 ft. 2 3/4 in. along the easterly lot line; on the easterly portion of the plot (Lot Nos. 32 and 33) there exists a one-story building, 8 ft. 6 in. by 27 ft. 3 in., irregular in area, and a grease pit and three gasoline dispensing pumps supplied from an existing 1,100-gallon gasoline tank; it is proposed to construct on the easterly portion of the plot

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a one-story building, 15 ft. in height and 27 ft. by 92 ft. 23/4 in. in area, to be used as store, office, lubritorium and automobile laundry, to erect six gasoline pumps, to install four gasoline tanks, to remove the existing pumps, grease pit and accessory building from the westerly portion of the premises and to operate the entire area as a gasoline service station, lubritorium and auto laundry; and

WHEREAS, the applicant requested permission to amend his application to include section 7, subdivision f; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7, subdivision f thereof, for a term of ten (10) years, to permit the extension of the legally established station on Lot No. 32, so as to include Lot Nos. 33 and 28, on condition that the station shall be reconstructed and rearranged substantially as indicated on plans filed with this application and marked "Received June 11, 1940"; that all existing structures and tanks shall be removed from the premises; that the new accessory building shall be constructed of incombustible material, except roof beams and roof boarding may be of wood, provided roof is surfaced with natural slate as indicated; that no windows shall be erected on the interior lot line to the east; that any windows or other openings erected in street lot lines to the south shall be filled with approved glass brick; that the openings to the accessory building may have wood closure doors, provided the recent equipment is of the hydraulic type shown; that the balance of the plot, except where planting areas are indicated, shall be surfaced with Colprovia or other suitable material; that the planting area shall be maintained with curb protection around same not less than 6 in. in height and 6 in. in width; that no gasoline pumps shall be erected nearer than 15 ft. to either street line and such pumps shall be of the parkway design as approved by the Park Department; that the accessory building shall be constructed with face brick and maintained unpainted; that the pedestals of the gasoline pumps shall be of solid masonry harmonizing with accessory building; that entrances shall be restricted to three (3) to Grand Street Extension, not exceeding 30 ft. in width each, and two (2) to South 4th street of similar width; that all curbs, other than the herein permitted curb cuts, shall be restored; that the sidewalk on Grand Street Extension and South 4th street shall be replaced with new surfacing; that there shall be no open excavation under the accessory building; that any heater room shall be separated from the balance of the accessory building by fireproof construction and enterable only from the exterior; that during the term of this permit the premises shall be used for no other use than as a gasoline service station with accessory uses herein permitted and indicated; that there shall be no parking of automobiles except those being serviced and that there shall be no motor vehicle repairing; that no portable gasoline tanks shall be used on or from the premises, and signs shall be restricted to a permanent sign attached to the accessory building and to illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection near the building of the street intersection of a post standard, advertising solely the brand of gasoline on sale, and permitting such sign to extend beyond the building line a distance of 4 ft. and to be illuminated; that similar signs may be erected, attached to accessory building on Grand Street Extension to the east and on South 4th street also to the east; that before plans are filed with the borough superintendent of buildings, complete working drawings, including landscaping plan, showing the type of material proposed to be planted, shall be submitted to the Board for approval by the chairman in behalf of the Board in compliance with this resolution; that such plans shall be submitted within two (2) months from

the date of this resolution, and that after approval of such plans, all permits shall be obtained and all work shall be completed within one (1) year thereafter.

633-40-BZ.

APPLICANT—A. Paul Loshen, for Minnie Weinstein, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7f, 7i and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and motor vehicle repair shop.

PREMISES AFFECTED—195-05 Linden boulevard, northeast corner of 195th street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: A. Paul Loshen, Leonard Lazarus and Minnie Weinstein.

For Opposition: Royal E. Dalrymple, Bernard Lifton and Charles A. Kiessmaul.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(633-40-BZ)

WHEREAS, A. Paul Loshen, for Minnie Weinstein, owner, filed June 12, 1940, an application, under sections 7f, 7i and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and motor vehicle repair shop; premises 195-05 Linden boulevard, northeast corner of 195th street (Block No. 11067, Lot Nos. 40 and 42), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a business use district; 194th, 195th and 196th streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 562-40, dated May 31, 1940, reads:

"1. The erection of a gasoline selling station and an automobile repair shop in a business district is contrary to Art. 2, Section 4, Subdivision 46 and 29 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 100 ft. on Linden boulevard and 87.42 ft. on 195th street, upon which it is proposed to erect a gasoline service station and motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of sections 7f and 7i, and that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 562-40, be and it hereby is affirmed and that the application be and it hereby is denied.

748-40-BZ.

APPLICANT—Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

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SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of an administration building for use in connection with a sewage disposal plant.

PREMISES AFFECTED—Southwest end of Harts Island, opposite Schofield street, City Island, Borough of The Bronx.

APPEARANCES—

For Applicant: A. Prober and F. Bellini.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(748-40-BZ)

WHEREAS, Anthony J. Daidone, for City of New York, owner, filed July 8, 1940, an application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of an administration building for use in connection with a sewage disposal plant; premises southwest end of Harts Island, opposite Schofield street, City Island, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Harts Island is located in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 510-40, dated June 12, 1940, reads:

"1. Proposed use 'Administration Building' is contrary to Section 3, Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a large plot of ground, approximately 960 ft. by 300 ft., irregular, in area, located at the southwest end of Harts Island, on which it is proposed to erect a one and one-half story and cellar fireproof building 40 ft. 10½ in. by 35 ft. 10 in. in area, to be used as an administration building in connection with the sewage disposal plant operated by the City of New York adjacent thereto; and

WHEREAS, the surrounding area was inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, to permit the construction of the proposed administration building, as indicated on plans filed herewith, *on condition* that in all other respects all laws, rules and regulations applicable thereto shall be complied with, and *granted* only so long as the building is occupied as proposed under the jurisdiction of the City of New York; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

749-40-BZ.

APPLICANT—Anthony J. Daidone, Assistant to Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a pumping station to be used in connection with a sewage disposal plant.

PREMISES AFFECTED—Southeast part of Harts Island, opposite Schofield street, City Island, Borough of The Bronx.

APPEARANCES—

For Applicant: A. Prober and F. Bellini.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(749-40-BZ)

WHEREAS, Anthony J. Daidone, for City of New York, owner, filed July 8, 1940, an application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a pumping station to be used in connection with a sewage disposal plant; premises southeast part of Harts Island, opposite Schofield street, City Island, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Harts Island is located in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 511-40, dated June 12, 1940, reads:

"1. Proposed use 'Pumping Station' is contrary to Section 3, Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a large plot of ground approximately 960 ft. by 300 ft., irregular, in area, upon which it is proposed to erect a one-story fireproof building 20 ft. 2¼ in. in height, 40 ft. by 30 ft. 6 in. in area, of fireproof construction, to be used as a pumping station in connection with a sewage disposal plant located adjacent thereto; and

WHEREAS, the surrounding area was inspected by a committee of the Board; and

WHEREAS, the Board deemed the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, to permit the construction of the proposed pumping station, as indicated on plans filed herewith, *on condition* that in all other respects all laws, rules and regulations applicable thereto shall be complied with, and *granted* only so long as the building is occupied as proposed, under the jurisdiction of the City of New York; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

928-40-BZ.

APPLICANT—The Finkel Umbrella Frame Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7a of the building zone resolution, to permit in a residence use district on a plot, partly in a residence use di-

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trict and partly in a business use district, the extension of an existing factory building.

PREMISES AFFECTED—890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard E. Finkel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(928-40-BZ)

WHEREAS, The Finkel Umbrella Frame Company, Incorporated, owner, filed September 23, 1940, an application, under section 7a of the building zone resolution, to permit in a residence use district on a plot, partly in a residence use district and partly in a business use district, the extension of an existing factory building; premises 890-914 Brush avenue, east side, 496.18 ft. south of East 177th street (Block No. 5541, Lot No. 130), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Brush avenue on the east side is located in a business use district; Brush avenue on the west side is located in an unrestricted use district; Westchester boulevard is located in a business use district, and the property located east of a line 100 ft. east of Brush avenue is located within a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 407-40, dated September 19, 1940, reads:

"1. Extension (one additional story) to existing factory located in residence and business district is contrary to Sections 3 and 4 of the Building zone resolution."

WHEREAS, the premises consist of a plot fronting 276.66 ft. on the east side of Brush avenue, having a depth of 333.89 ft., and irregular in area, upon which there exists several one and two-story factory buildings of Class 3 construction; it is proposed to construct an addition to the second story of an existing one and two-story factory building located 193.89 ft. east of Brush avenue; the existing building is 131 ft. 10 in. by 75 ft. in area, with a one-story extension on the rear 25 ft. by 107 ft. 6 in. in area; the proposed addition to the second story will be constructed by raising the existing one-story extension, such extension to be 25 ft. by 107 ft. 6 in. in area, approximately 33 ft. in height, as shown on plans marked "Received September 23, 1940," and to occupy the entire premises for the manufacture of umbrella frames, garden furniture and garden umbrellas; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision a, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7a thereof, to permit the addition to the legally existing factory building, as indicated on plans filed herewith, on condition that such extension shall comply with all laws, rules and regulations applicable thereto and that the building shall not be further extended, and granted only so long as the premises are used by the present concern or its successors in the same line of business; that all permits required shall

be obtained and all work completed within one (1) year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

554-40-A.

APPLICANT—Lama and Proskauer, for Margaret R. DiGioia, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2146 Gerritsen avenue, west side, 280 ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abram Shlefstein.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Commissioners Savage and Blum

and Assistant Chief McCarthy 3

Negative: Chairman Murdock 1

THE RESOLUTION—

(554-40-A)

WHEREAS, Lama and Proskauer, for Margaret R. DiGioia, owner, filed May 23, 1940, an appeal from a decision of the borough superintendent of buildings; premises 2146 Gerritsen avenue, west side, 280 ft. north of Avenue U (Block No. 7341, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the revised decision of the borough superintendent of buildings, on Alteration Application No. 1855-40, dated June 17, 1940, reads:

"1. Proof of use of stable prior to 1928 not acceptable to Borough Superintendent. Subsequent use of stable for three horses on same premises as three car garage is contrary to Article II, Section 4b of the Zoning Resolutions Application for certificate of occupancy for stable denied."

and

WHEREAS, the building is one story (10 ft.) in height, 41 ft. by 20 ft. in area; of Class 4 construction; located in a business use district; erected prior to 1924; located on a lot 109 ft. 2 3/4 in. by 53 ft. 11 7/8 in., irregular, in area, and occupied as a stable for four (4) horses; and

WHEREAS, the applicant contends the premises in question is improved with a one-family dwelling, a one-story garage, 25 ft. by 19 ft. in area, a one-story frame sales shed, 10 ft. by 15 ft. in area, and the building in question which is 20 ft. by 41 ft. in area and occupied as a stable; that the present owner acquired the property in 1924, at which time the frame stable and sales shed were existing; that the dwelling was constructed under Permit No. 12913-26 and Certificate of Occupancy No. 45170 was issued; that the garage at the rear of the dwelling was built in 1928 under Permit No. 3449-28, which provided for a three-car garage; that the stable in question had been on the premises for many years prior to the acquisition by the present owner in 1924; that no certificate of occupancy has been issued therefor; that this parcel was at one time part of the old Sheepshead Bay Race Track, which was erected prior to 1916, and for which no certificate of occupancy was required; that the frame stable and sales shed could have been legalized in 1924, at which time the property was zoned for business and was outside the fire limits due to the fact that the buildings were existing in 1924; that taxes have been continuously paid since and that no violation existed at the time of the acquisition of the property; that it is respectfully requested that this appeal be granted; and

WHEREAS, there exists on the plot a one-family dwelling, a three-car garage accessory to the dwelling, the frame stable in question and a frame sales shed; and

WHEREAS, the plot is located partly in a business use area and partly in a residence use area; and

WHEREAS, the three-car garage was permitted by the Department of Buildings as an accessory use to the dwelling

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and the owner claims that he is also entitled to the use of the stable for three (3) horses as an accessory building on the plot inasmuch as it is claimed that the building was used as a stable on this plot prior to 1916; and

WHEREAS, the record could not be clearly established beyond doubt that the stable building was not on the plot prior to 1916.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 1855-40, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*.

Adjourned, 1:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, OCTOBER 22, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

919-40-BZ.

APPLICANT—George A. Boehm, for Victor Moore and Broadway-75th Street Corporation, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7j of the building zone resolution, to permit in a business use district the erection of a business building to be occupied in part as a bus station.

PREMISES AFFECTED—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: George A. Boehm, Cornelius G. De-Loce, H. P. Pernell, Edward A. MacDougal and John J. Reardon.

For Opposition: Mrs. D. Rothstein, Mrs. H. Hynd, Mrs. Ranoli, Mrs. Nedell, Mrs. J. Haberman, Mrs. L. Maller, Nicola Spinella, M. G. Beunder, H. Balfour, F. K. Allen, J. M. Faun and others.

ACTION OF BOARD—Laid over to October 29, 1940, at 2 P.M., pending decision by the Board.

953-40-BZ.

APPLICANT—Electus D. Litchfield, for Fairchild Aviation Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a and 7c of the building zone resolution, to permit the erection of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district.

PREMISES AFFECTED—134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard (Block No. 9342 [236], Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Electus D. Litchfield, C. L. Terrill and James S. Ogsburg.

For Opposition: Robert J. Dixon, George S. Ader, Mrs. Rose Santino, Mrs. Bertha Zaffer, Fridel Abt, J. R. Duryea and Charles MacGregor.

ACTION OF BOARD—Laid over to October 29, 1940, at 2 P.M., for decision by the Board without further argument.

263-31-BZ.

APPLICANT—Weissglass Dairies, Incorporated, owner.

SUBJECT—Application reopened March 30, 1937—re Application, under section 7a of the building zone resolution, to permit in a business use district the further extension in area of a milk bottling and distributing station (an extension of said use having been previously granted by the Board).

PREMISES AFFECTED—2014 Forest avenue, south side, 20 ft. 3 in. east of Maple avenue (Block No. 1696, Lot Nos. 9, 12, 138 and 139), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioner

Blum and Assistant Chief McCarthy 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION—

(263-31-BZ)

WHEREAS, this application, under section 7a of the building zone resolution, to permit in a business use district the erection and maintenance of additional buildings and the alteration and extension of a building occupied for a milk bottling and distributing station, premises 2014 Forest avenue, south side, 20 ft. 3 in. east of Maple avenue (Block No. 1696, Lot Nos. 9, 12, 138 and 139), Mariners Harbor, Borough of Richmond, was granted by the Board July 14, 1931, on certain conditions, the resolution amended May 17, 1932, and October 20, 1936; and

WHEREAS, Weissglass Dairies, Incorporated, owner, filed February 4, 1938, an application, under section 7a of the building zone resolution, to permit in a business use district the further extension in area of a milk bottling establishment; and

WHEREAS, this application was reopened by vote of the Board March 30, 1937; and

WHEREAS, the applicant failed to complete the papers although duly notified to do so, and at the public hearing there was no appearance made on behalf of the applicant.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

337-33-BZ.

APPLICANT—Robert Teichman, for City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7f and 21 of the building zone resolution, permitting in a business use district the maintenance of a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Teichman.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioner

Blum and Assistant Chief McCarthy 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION—

(337-33-BZ)

WHEREAS, this application, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles,

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premises east side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx, was granted by the Board February 14, 1934, on certain conditions, the term of the permit extended from time to time, and the applicant requested a further extension of the permit.

Resolved, that the resolution adopted by the Board on February 14, 1934, be *amended*, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a period of two (2) years from the date of this amended resolution, permitting the plot to be used as parking space for more than five (5) automobiles of the pleasure-car type during periods when the Yankee Stadium is used for baseball games or exhibitions and in no event to permit this parking space to be used for over-night parking, on condition that the plot under appeal shall be surrounded by a substantial woven-wire fence not less than 6 ft. in height on all exterior lot lines; that the openings to this parking space shall not exceed three (3), all from River avenue, each opening not to exceed 25 ft. in width."

10-38-BZ.

APPLICANT—Kissena Amusement Corporation (lessee), for Stellbea Theatres Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Reff and Mitchell Kay.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioner

Blum and Assistant Chief McCarthy 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION—

(10-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles, premises 130-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens, was granted by the Board September 13, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on September 13, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h thereof, for a temporary term of two (2) years from the date of this *amended resolution*."

586-39-BZ.

APPLICANT—Lama and Proskauer, for Mary L. Moll and Charles London, owners.

SUBJECT — Application for consideration — reopening, amendment of resolution and approval of plans—re Application (decision of the borough superintendent of buildings), previously granted under sections 7g and 21 of the building zone resolution, permitting in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

sion of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Charles London.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioner

Blum and Assistant Chief McCarthy 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION—

(586-39-BZ)

WHEREAS, this application, under sections 7g and 21 of the building zone resolution, to permit in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station, premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn, was granted by the Board March 12, 1940, on certain conditions; and

WHEREAS, Alfred A. Lama, for Mary L. Moll and Charles London, owners, requested amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 12, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under sections 7g and 21 thereof, to permit the extension of the existing garage and the alteration as proposed, generally as indicated on plans filed herewith, on condition that the building shall be constructed fireproof throughout; that any windows on the rear lot line shall be fireproof, self-closing and fixed; that there shall be no windows on the interior lot line; that any skylights erected shall be not nearer than 15 ft. to any lot line; that such skylights shall be glazed with plain glass with protective grilles over and under; that no gasoline pumps shall be erected nearer than 10 ft. to the street building line; that curb cuts shall be restricted to two (2), not over 30 ft. in width each; that no part of a curb cut shall be nearer than 3 ft. to the side lot line as extended; that any greasing lifts installed shall be of the hydraulic lift type; that signs shall be restricted to permanent sign attached to the facade of the building, excluding all temporary signs and all roof signs, but permitting a sign bracketed out from the front wall, advertising solely the brand of gasoline for sale, and permitting such sign to be illuminated, and provided it does not extend beyond the building line for a distance of more than 4 ft.; that the boiler room shall be enclosed in fireproof material and separated from the balance of the building by walls of incombustible material; that the entrance to same shall be outside the wall of the garage proper; that gasoline tanks shall be so located as to be not nearer than 25 ft. to the boiler room wall; that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct; that gasoline storage tanks shall not exceed six (6) 550-gallon tanks; that no automobile repairing shall be done on the premises; that all permits required shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution."

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Resolved further, that the plans marked 'Received October 7, 1940,' are hereby approved as being in accordance with the resolution of the Board adopted on March 12, 1940, and permitting the construction of the roof of the proposed extension as shown, provided the wall separating the present garage from the proposed extension shall remain; that any openings therein shall be protected with fireproof, self-closing doors of the Underwriters' type; that in the event one greasing pit and one hydraulic lift are installed in the position shown, the greasing pit shall be ventilated by means of ducts through the roof, with motor-driven fan of the spark-proof type; that in all other respects the requirements of this resolution shall be complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS.

1517-39-A.

APPLICANT—Meyer Strauss, for Estate of Martha W. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(1517-39-A)

WHEREAS, Meyer Strauss, for Estate of Martha W. Becker, owner, filed December 18, 1939, an appeal from an order of the fire commissioner; premises 306 New Lots avenue, south side, 88 ft. east of Alabama avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 81754-LC, dated November 24, 1939, reads:

"Remove all paints, varnish, etc., from the premises and discontinue the further storage of paints and varnish on said premises pending compliance with the requirements of the Division of Housing."

and

WHEREAS, in response to a request from this office, the borough superintendent of buildings stated that the Division of Housing has filed the following objections in connection with the handling and storing of paints, oils, alcohol, varnish, etc., in the store on the first story of the premises in question:

"A. Walls and ceilings plaster, store on 1st story. Said walls and ceilings must be properly fire-retarded.

B. Wood door (with wood trim) leading from store, 1st story to rooms at rear. A fireproof self-closing door and fireproof trim must be provided."

and

WHEREAS, the building is two stories (25 ft.) in height, 19 ft. by 65 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1925, and occupied: cellar, storage of hardware; first story, store, with apartment in rear; second story, dwelling, two families; and

WHEREAS, the applicant contends that the business has been conducted at its present location since 1925; that combustible permits were issued since 1925 by the Fire Department; that the ceiling of the store is completely covered with metal; that the occupant of the store resides on the second story; that paints stored on the premises are in metal containers tightly sealed; that the last Fire Department permit called for ten gallons of varnish, ten gallons of turpentine, ten gallons of shellac, ten gallons of dryers, fif-

teen gallons of linseed oil, fifteen gallons of lemon oil and fifteen gallons of floor oil; that not more than half of these quantities are carried in stock; that the paint carried in stock has been accumulated over a period of years, and if the lessee is forced to discontinue the storage of same it would result in severe loss and might eventually force him out of business.

Resolved, that the order of the fire commissioner, Order No. 81754-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the permit shall be issued after the requirements of the borough superintendent of buildings, as to section 61 of the Multiple Dwelling Law, shall be complied with.

597-40-A.

APPLICANT—B. Meredith Langstaff, counsel for Brooklyn Heights Association and, also, for Bertha Backus Brown, adjoining owner.

OWNER OF PREMISES—Bohack Realty Corporation.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 52286.

PREMISES AFFECTED—154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: Walter Bruchhausen.

For Owner: Herbert A. Birrell, G. E. Pohl and Edward Metcalfe.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(597-40-A)

WHEREAS, B. Meredith Langstaff, for Brooklyn Heights Association and Bertha Backus Brown, adjoining owner, filed May 31, 1940, an appeal from a decision of the borough superintendent of buildings refusing to set aside a certificate of occupancy; premises 154 Henry street, west side, 19 ft. 3 in. north of Love lane (Block No. 236, Lot No. 137), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 20, 1940, reads:

"In reply to your letter of May 20th regarding the above premises, please be advised that the power to set aside a Certificate of Occupancy is vested with the Board of Standards and Appeals under Section 646, Chapter 26 of the City Charter.

You are, therefore, directed to apply to the said Board if you desire to set aside Certificate of Occupancy No. 52286."

WHEREAS, the building is four and one-half stories (48 ft.) in height, 23 ft. by 69 ft. in area; of Class 3 construction; erected about 1840; located in a residence use B area district, and occupied: cellar, ordinary use; first story, laundry; second story, dwelling, one family; third story, furnished rooms; fourth story, one family and furnished rooms; and

WHEREAS, the applicant contends that this appeal is taken from the refusal of the borough superintendent of buildings to revoke a certificate of occupancy issued in March, 1928, for a tea room on the basement floor of the dwelling house in a residential zone at 154 Henry street, Brooklyn; that prior to and ten years after 1916 the premises was owned by the Fleges, father and son, who kept a grocery store next door at 156 Henry street and who resided with their families at 154 Henry street; that it is claimed that they had a convenient narrow passageway cut in the wall be-

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tween their store and the basement of their house; that if they did, as would seem natural, such passageway has long ago been abandoned; that it is further claimed that Flege used the basement of his home as an office where he kept his accounts, and that therefore such room became part of his business premises and shared with 156 Henry street in 1916, the same exception to the zoned residence use; that it is not claimed that there was any street entrance to the basement of 154 Henry street other than through the usual service gate under the high stoop of the dwelling; that the basement window had not been turned into a doorway in Flege's time prior to 1926; that affidavits by actual customers of the Fleges before and after 1916 and up to 1926 and by long-time residents of the neighborhood will be offered in support of this appeal against the original affidavits of real estate brokers and other non-residents and against self-serving affidavits of Flege employees; that in 1916 and prior to 1926, 154 Henry street was not used by the public and the grocer for business and, strictly construed, the affidavits supporting the certificate of occupancy do not support the contention of business use; that the certificate of occupancy for business purposes should therefore be revoked; and

WHEREAS, these premises were inspected by a committee of the Board; and

WHEREAS, the Board has given full consideration to all the records involved in this matter, including a letter received since the hearing from the Department of Taxes and Assessments.

Resolved, that the decision of the borough superintendent of buildings, dated May 20, 1940, be and it hereby is *reversed* and that the appeal be and it hereby is *granted on condition* that the certificate of occupancy as to basement use shall be revised to read: "that the basement of the existing building may be occupied for the storage of merchandise in connection with the adjoining grocery store located at 156 Henry street under the same ownership and control."

887-40-A.

APPLICANT—Sol Oberwager, for Marbridge Building Company, Incorporated, owner (Littman's 34th Street Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Oberwager and Joseph F. Hennessey.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(887-40-A)

WHEREAS, Sol Oberwager, for Marbridge Building Company, Incorporated, owner, filed August 7, 1940, an appeal from an order and a decision of the borough superintendent of buildings; premises 47-99 West 34th street and 1302-1330 Broadway, northeast corner (Block No. 836, Lot No. 1), Borough of Manhattan; and

WHEREAS, Order No. 3838-40, dated June 28, 1940, reads:

"1. You will please take notice that there exists a violation of Section B26-7.0 Administrative Code, at the premises in that of erecting and maintaining an illuminated electrical sign in a restricted sign zone area, contrary to law.

Size of sign 12 ft. x 45 ft.

Wording—"Littmans".

You are hereby directed to remove illegal sign in restricted sign zone area at once."

and

WHEREAS, the decision of the borough superintendent of buildings, on Electric Sign Application No. 119-40, dated July 8, 1940, reads:

"In reference to your Electric Sign Application 119-40 for the premises located at 53-55 West 34th St., northwest corner of Sixth Avenue, and pending violation No. 3838-40 on the same sign, please be advised as follows:

Approval of the above noted application by this department for an electric sign at this location was in error since 34th Street at this point is a restricted street where illuminated signs are prohibited.

In order to legalize this sign, it will be necessary for you to submit an appeal to the Board of Standards and Appeals. We believe that such an appeal can be made on the violation existing against this sign. If the appeal is not made immediately, this department will cancel all approvals for the sign in question."

and

WHEREAS, the building is eleven stories (150 ft.) in height, 150 ft. by 178 ft. 8½ in. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; located in a business and retail use district; erected in 1907, and occupied: basement, restaurant, 600 persons; first story, stores, 200 persons; second to eleventh stories, inclusive, 165 persons on each story; and

WHEREAS, the applicant contends that the sign in question is of the hood-reflector type and is made of stainless steel; that application was made to the Building Department and the Department of Water Supply, Gas and Electricity for permission to erect this sign, and Permit No. 19338 was issued January 26, 1940; that the sign is 12 in. by 48 ft. in area and extends 11 in. over the building line; that the sign represents an investment of \$500; that the hood has been fastened directly to the White Georgia Marble front, and to remove the same would cause damage to the marble, which was newly installed in 1939 at considerable expense; that in view of these facts, a variation as to the sign is requested.

Resolved, that the decision of the borough superintendent of buildings, on Electric Sign Application No. 119-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed sign shall not extend beyond the building line for a distance of more than 11 in. as to the protective hood and for a distance of not over 3 in. beyond the building line for the sign; that in all other respects the sign shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the sign is maintained as shown and shall not be deemed a precedent for additional signs at this location.

910-40-A.

APPLICANT—Aymar Embury, II, for Queens County Jockey Club, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-60 108th street, west side, between Peconic street and 135th avenue and in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block), Aqueduct, Borough of Queens (Aqueduct Race Track); (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Joseph B. Cavallan and Aymar Embury, II.

For Administration: Michael J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(910-40-A)

WHEREAS, Aymar Embury, II, for Queens County Jockey Club, owner, filed September 11, 1940, an appeal from a decision of the borough superintendent of buildings, for permission to erect a building in the bed of mapped streets (Peconic street and 149th avenue); premises 135-60 108th street, west side, from Peconic street to 135th avenue (Block No. 11562, Lot No. 7, Block No. 11564, Lot No. 1, and Block No. 11539, Lot No. 1), Aqueduct Race Track, Aqueduct, Borough of Queens; and

WHEREAS, a public hearing was held by the Board of Standards and Appeals pursuant to section 35 of the General City Law after due notice by publication in the Bulletin of the Board of Standards and Appeals supplemented by publication in the Long Island Daily Press; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5951-40, reads:

"2. The structure exceeds the limits of area and height permitted for a non-fireproof building (sec. 4.2.1)."

and

WHEREAS, the premises consist of acreage lying north of North Conduit avenue and east of the Long Island Railroad, now operated as a race track; it is proposed to demolish a portion of an existing grandstand built in 1906, 1932, 1936 and 1940 and to construct a new Class 3 building, 50 ft. in height and 800 ft. by 125 ft. in area, to be occupied as a grandstand as an addition to the existing grandstand erected in 1940 under New Building Application No. 9823-39 and for which Certificate of Occupancy No. 11895 was issued June 7, 1940; and

WHEREAS, the applicant contends that the new grandstand is in the same location as the buildings that are to be demolished and which come in the bed of 108th street, 149th avenue and Peconic street; that the recent grade crossing elimination of the Long Island Railroad has not provided an underpass at 149th avenue, indicating that this street will not be opened; and

WHEREAS, the applicant has filed a copy of the communication dated September 9, 1940, addressed to the borough superintendent of buildings by the engineer-in-charge of the Topographical Bureau, Queens, wherein it is stated that there is no condemnation proceeding pending nor is there one contemplated for the legal opening of any of these streets, and that the legal opening of Peconic street would disturb the property of the New York Water Service Corporation, which has numerous wells located thereon; that it is not believed that any of the proposed streets will be opened until the race track is abandoned.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5951-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the powers granted the Board under section 35 of the General City Law, so as to permit the construction of the proposed grandstand within the bed of the mapped streets, *on condition* that in all other respects the structure and occupancy shall comply with all laws, rules and regulations applicable thereto, and that in the event the beds of the streets are acquired by the city for street purposes, that no claim shall be made for an award for the value of such structure erected in the bed of such streets.

64-40-A.

APPLICANT—McDowell Sprinkler System, for Florence A. Jackson, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner
Blum and Assistant Chief McCarthy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION—

(64-40-A)

WHEREAS, McDowell Sprinkler Corporation, for Florence A. Jackson, owner, filed January 18, 1940, an appeal from a decision—re an order of the fire commissioner; premises 447-449 East Tremont avenue, north side, 75.1 ft. east of Park avenue (Block No. 3034, Lot No. 55), Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board April 30, 1940, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on April 30, 1940, so that as amended the resolution shall read:

"*Resolved*, that Order No. 1886-LF of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar of No. 447-449 East Tremont avenue an automatic wet sprinkler system complying with the requirements of the Building Code therefor, except that the water supply may be taken from the street mains by means of a new 2-inch line with a 1½-inch tap and except that a waterflow alarm need not be installed; that the airshaft shown in the basement shall either be entirely blocked off with fireproof materials or the existing window openings therein shall be made fireproof and self-closing; that the trap doors on all stairways shall be so arranged with a fusible link as to close in the event of fire in the cellar; that in all other respects the sprinkler system shall comply with the requirements of the Building Code therefor."

156-40-A.

APPLICANT—Louis Allen Abramson, for Society of the Hillside Hospital, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—76-59 263rd street, northeast corner of 76th avenue (Block No. 26A, 27A and 34A to 42A, inclusive, Lot No. None), Creedmore, Borough of Queens.

APPEARANCES—

For Applicant: Lloyd W. Weed.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner
Blum and Assistant Chief McCarthy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION—

(156-40-A)

WHEREAS, Louis Allen Abramson, for the Society of The Hillside Hospital, owner, filed February 2, 1940, an appeal from decisions of the borough superintendent of buildings, affecting premises bounded by 263rd street, Long Island

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Motor parkway, Hewlett avenue and 76th avenue (Block Nos. 26A, 27A and 34A to 42A, inclusive), Creedmore, Borough of Queens; and

WHEREAS, this appeal was granted by the Board February 14, 1940, on certain conditions, and the applicant requested an amendment of the resolution as to the last clause.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on February 14, 1940, so that the last clause shall read:

"and granted as to Objection No. 2, applying to the two-story building, on condition that the 12-inch wall consisting of 4-inch brick facing and 8-inch hollow cinder cement units, bonded as herein permitted, shall not exceed the stress permitted under sections C26-309.0 and C26-358.0 of the Administrative Building Code, and that wherever excessive openings exist, the wall shall at those points be reinforced by brick piers or reinforced concrete columns; that this variance shall apply to this particular building only and shall not be for general application."

APPLIANCES SUBMITTED FOR APPROVAL.

443-38-SA.

APPLICANT—Bryant-Caldwell Corporation, for Bryant Heater Company, owner.

SUBJECT—Amendment of resolution adopted July 22, 1938, to include approval of Bryant Vertical Forced Air Heater, Models 6, 10 and 12, Type VB (gas fired).

APPEARANCES—

For Applicant: Don L. Caldwell.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy	3
Negative	0
Absent: Commissioner Savage	1

THE RESOLUTION—

(443-38-SA)

WHEREAS, D. L. Mewhinney, Incorporated, owner, filed June 3, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Bryant Vertical Forced Air Heater, Model 8, Type VB (gas fired); and

WHEREAS, this appliance was approved by the Board July 22, 1938, in accordance with report of the engineer of the Board; and

WHEREAS, Bryant-Caldwell Corporation, for Bryant Heater Company, owner, requested amendment of the resolution to include approval of Models 6, 10 and 12, Type VB (gas fired); and

WHEREAS, this application was reopened by vote of the Board July 9, 1940, and the additional models referred to the engineer of the Board for test and report, which report reads:

REPORT OF ENGINEER.

October 21, 1940.

Cal. No. 443-38-SA.

Subject—Amendment of resolution adopted July 22, 1938, to include approval of Bryant Vertical Forced Air Heater, Models 6, 10 and 12, Type VB (gas fired).

The Board of Standards and Appeals, July 22, 1938, approved the Bryant Vertical Forced Air Heater, Model 8, Type VB (gas fired). Request was made to approve Models 6, 10 and 12, Type VB, and the application was reopened by vote of the Board July 9, 1940.

Models 6, 10 and 12 are similar in design and construction to Model 8, the only difference being the BTU/hour output, Model 6 being 44,000; Model 10, 76,000, and Model 12, 115,000; Model 8 having an output of 60,000.

These models have been approved by the American Gas Association.

It is recommended that the resolution of July 22, 1940, be amended to include Models 6, 10 and 12, Type VB, on condition that the design, construction and installation be in accordance with the report of the engineer as incorporated in the resolution, except as to the BTU/hour output.

(Sgd.) LESLIE V. HUBER.
Chief Engineer.

and

WHEREAS, this report recommended amendment of the resolution of July 22, 1938, so as to include these additional models.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 22, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the Bryant Vertical Forced Air Heater, Models 6, 8, 10 and 12, Type VB (gas fired), when installed, operated and labeled in accordance with the previous and above reports."

937-40-SA.

APPLICANT—R. W. DeLancey, for The Miller Company, owner.

SUBJECT—Miller Oil Burner, Type OG-80, approval of.

APPEARANCES—

For Applicant: R. W. DeLancey and A. F. Loecher.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy	3
Negative	0
Absent: Commissioner Savage	1

THE RESOLUTION—

(937-40-SA)

WHEREAS, R. W. DeLancey, for The Miller Company, owner, filed September 25, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Miller Oil Burner, Type OG-80; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 21, 1940.

Cal. No. 937-40-SA.

Subject: Miller Oil Burner, Type OG-80, approval of.

R. W. DeLancey, for the Miller Company, of Meriden, Connecticut, owner, filed September 25, 1940, an application with the Board of Standards and Appeals for approval of the Miller Oil Burner, Type OG-80, under the provisions of C19-57, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

This is a mechanical draft domestic oil burner for installation in hot water or steam boilers and warm air furnaces. The burner is of the cast-iron pot type with perforated steel sleeve vaporizers with a case semi-steel top ring, central air distributor and flame spreader oil is supplied through an Automatic Products 240 E, Type DR, constant level valve and air by means of motor and fan delivered through an air duct to burner; the fan 1/20 horsepower motor and constant level valve being enclosed in metal housing.

The burner is ignited manually at first and then maintained by oil pilot, high and low thermostat.

This burner was inspected and tested at 871 Glenmore avenue, Brooklyn, on a warm-air furnace and was found to operate satisfactorily.

The burner has been approved by the Underwriters' Laboratories, Petroleum 1276, Application No. 39C 841C.

It is recommended that the Miller Oil Burner, Type

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OG-80, be approved for domestic installation with fuel oil not heavier than No. 3 U. S. Department of Commerce Standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, with the further condition that a barometric draft adjuster be provided in smoke breaching.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Miller Oil Burner, Type OG-80, on condition that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL.

519-40-SM.

APPLICANT—The American Brass Company, owner.

SUBJECT—The American Brass Company Copper Water Tubing, Type K (for oil burner lines), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioner
Blum and Assistant Chief McCarthy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION—

(519-40-SM)

WHEREAS, The American Brass Company, owner, filed May 15, 1940, an application with the Board of Standards and Appeals for approval of the material known as American Brass Company Copper Tubing, Type K (for oil burner lines); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 21, 1940.

Cal. No. 519-40-SM.

Subject: American Brass Company Copper Tubing, Type K (for oil burner lines), approval of.

The American Brass Company, of Waterbury, Connecticut, owner, filed May 15, 1940, an application with the Board of Standards and Appeals for approval of the American Brass Company Copper Tubing, Type K, for use in oil burner installations under the provisions of the Oil Burner Rules. The material is made from seamless drawn copper conforming to the requirements of A.S. T.M. specification B88-39. This tubing when used for oil lines is made in the following sizes:

Nominal Size Inches	Outside Diameter Inches	Inside Diameter Inches	Wall Thickness Inches
3/8	0.500	0.402	0.049
1/2	0.625	0.527	0.049
3/4	0.875	0.745	0.065
1	1.125	0.995	0.065
1 1/4	1.375	1.245	0.065
1 1/2	1.625	1.481	0.072
2	2.125	1.959	0.083

The tubing has a tensile strength of 3,000 pounds per sq. in. and elongation in 2 in. 25 per cent.

The tubing has been examined and tested by the Underwriters' Laboratories, sub. 818, MH 2416 and MH 2772.

The following dimensions refer to oil burner tubing used in short length as construction parts of oil burners and equipment:

Outside Diameter Inches	Inside Diameter Inches	Wall Thickness
1/4 (0.250)	0.180	0.035
5/16 (0.312)	0.242	0.035
3/8 (0.375)	0.305	0.035
7/16 (0.437)	0.367	0.035

It is recommended that the American Brass Company Copper Tubing, Type K, as specified in this report, be approved for use in New York City in oil burner installations, on condition that all tubing to be stamped with the name and type every 12 - 14 in.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as American Brass Copper Tubing, Type K (for oil burner lines), on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

985-40-SM.

APPLICANT—National Gypsum Company, owner.

SUBJECT—Gold Bond Acoustical Products (Econocoustic, Acoustex, Travacoustic, Acoustimetal and Perforated Asbestos Panels), approval of.

APPEARANCES—

For Applicant: H. Z. Jones.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioner
Blum and Assistant Chief McCarthy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION—

(985-40-SM)

WHEREAS, National Gypsum Company, owner, filed October 11, 1940, an application with the Board of Standards and Appeals for approval of the material known as Gold Bond Acoustical Products (Econocoustic, Acoustex and Acoustimetal); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 18, 1940.

Re: Cal. No. 985-40-SM.

Subject: Gold Bond Acoustical Products (Econocoustic, Acoustex and Acoustimetal), approval of.

The National Gypsum Company, of Buffalo, New York, filed October 11, 1940, an application with the Board of Standards and Appeals for approval of its above-mentioned materials for use under the pertinent provisions of the Administrative Building Code. The descriptions of these materials are as follows:

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Econocoustic

Econocoustic is made at Mobile, Alabama, from pure wood fibres felted into a porous board of low density (8.9 pounds p.c.f.). The fibres are treated to resist decay and are moisture-proofed with an emulsion of wood resin, drawn from vats on a vacuum wheel, passed through rollers to the desired thicknesses, oven dried and cut to size. It is manufactured in thicknesses of $\frac{1}{2}$ in. and 1 in. and fabricated into units varying from 12 in. x 12 in. to 48 in. x 72 in.

This material is applied to a solid backing with an adhesive having the strength of at least $1\frac{1}{4}$ pounds per sq. in. and nailed at corners where nailing surfaces are available. It may also be applied to metal or wood furring by nailing. This material is *not* classified as an incombustible material. Physical tests of Econocoustic filed by the applicant indicate compliance with the requirements of Rule 1 of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

Acoustex

Acoustex is made at Portsmouth, New Hampshire, from pure wood fibres and a binder of magnesium oxy-sulphate, passed through adjustable pressure rollers to the desired thicknesses. The material is oven dried and cut to size. Mineral coloring matter may be added. This material is manufactured in thicknesses of $\frac{5}{8}$ in. to $1\frac{1}{8}$ in. and fabricated in sizes from 6 in. x 12 in. to 24 in. x 96 in. and is of cellular construction which provides the necessary qualities for insulation and acoustical properties and is a material claimed to have considerable strength and resistance to fire. To determine the incombustibility of Acoustex, tests were conducted at Columbia University (report dated August 27, 1930, photostatic copy filed herewith) on 1 in. Acoustex units attached to $\frac{1}{2}$ in. gypsum plaster backing. The log of the flame test which was conducted for forty minutes in accordance with the Standard "Columbia Curve", on Acoustex, after the temperature was brought up to 1,200 degrees Fahrenheit indicated there was no flaming during the five-minute interval. At the end of thirty minutes the panel was glowing over an area $1\frac{1}{2}$ in. in diameter but with no flaming. This test was continued and at the end of forty minutes no flaming was visible during the entire test.

This material is applied by cementing to a solid backing with an adhesive having the strength of at least $1\frac{1}{4}$ pounds per sq. in. or nailed at the corners where nailing surfaces are available. It may also be applied to metal furring to form a suspended ceiling when hung on "H" bars and splines.

Travacoustic

Travacoustic is made at Portsmouth, New Hampshire, from pure white gypsum (having a density of twenty-four pounds p.c.f.). A foaming agent (HO) is added which induces multiple air cells into the liquid mixture. It is then poured into metal moulds, hardened, and cured in a dryer. After curing it is trimmed to size having thicknesses of $\frac{3}{4}$ in. and 1 in. and in units 6 in. x 12 in. to 12 in. x 18 in. This material being composed of minerals is incombustible. It is applied in the same manner as that provided for in the Acoustex tile given above.

Acoustimetal

Acoustimetal is made at Chicago, Illinois, from 26 gauge Terne Plate. It is formed into metal pans, edges being turned up to fit into carrying runners. The pans are either unperforated, or perforated with holes .068 in. in diameter, 4,608 holes per sq. ft. In the turned edges of the pans bosses are formed to interlock with supporting "T" bars. Sound absorption is accomplished

by means of pads of compressed rock wool fibres covered with flameproof Kraft paper. The flameproofing ingredient used on the paper is ammonia salt supplied by the Central Paper Company, of Muskegon, Michigan. These pads rest in the metal pans on wire grids, permitting the face surface to be repainted without affecting the pad. Acoustimetal treatment is applied by clipping 22 gauge rolled "T" bars to standard $1\frac{1}{2}$ in. channel or angle iron furring, or screwed to wood furring where available.

Acoustimetal, since it is composed of a combination of metal and mineral rock wool and flameproof paper, is incombustible. Tests have been filed by the Central Paper Company which certify to the integrity of the flameproofing treatment.

Adhesives

Adhesives used with these materials are required to have adhesive strength of not less than $\frac{1}{2}$ pound per sq. in. when first applied and a strength of not less than $1\frac{1}{4}$ pounds per sq. in. twenty-four hours after application. Such adhesives are waterproof and resistant to alkaline solutions and of such nature that they remain plastic during application.

Acoustical Properties

The acoustical properties of these various materials are tabulated from results of tests performed at the National Bureau of Standards, Washington, D. C., File LC 573, dated November 15, 1939, together with individual test reports from the Bureau of Standards as follows:

Report of Acoustex of March 27, 1939.

Report of Travacoustic August 22, 1940.

Report of Econocoustic (tested under the name of Gold Bond Fibre Acoustical Tile) April 15, 1939, and June 15, 1939.

Report of Acoustimetal November 8, 1939. Copies in duplicate of these tests are enclosed herewith. Reference is also made to test published by the Acoustical Materials Association, under Bulletin No. 7, dated April, 1940, copy of which was also filed with the application.

The following represent the types of mounting (File LC585):

1. Cemented to wall board. This is considered equivalent to cementing to plaster or masonry.

2. Nailed on $1\frac{3}{16}$ inch x 2-inch furring 12 inches o.c. unless otherwise indicated.

4. Laid directly on laboratory floor. As a rule the results obtained in this way are the same as when the tile is cemented to gypsum wall board.

5. Nailed on 2 x 4's 12 inches o.c. unless otherwise indicated.

7. Back of samples covered with concrete.

8. Attached to metal suspension system. Four inches air space back of tile, unless otherwise indicated.

9. Acoustic tile nailed to $1\frac{3}{16}$ inch x 2-inch furring 18 inches o.c. Space between furring filled with Rock-wool.

10. Laid on 2 x 8's 12 inches o.c.

11. Laid on 24 gauge sheet iron, nailed to $1\frac{3}{16}$ -inch x 2-inch furring 24 inches o.c.

12. Clipped at corners to $\frac{5}{8}$ inch x $1\frac{3}{8}$ inch metal furring 12 inches o.c. Furring was clipped to $1\frac{1}{2}$ inch channels which were 3 feet 6 inches o.c.

The type and classification given in this schedule is in accordance with Federal Specification SS-A-118, dated November 20, 1939.

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Material	Thickness	Mounting	Noise Reduction	Type	Classification
			Co-efficient		
Econacoustic	1"	1	.70	8	FF
Acoustex					
Type 3OR	5/8"	2	.65	7	FF
" 4OR	3/4"	1	.50	7	II
" 4OR	3/4"	2	.65	7	FF
" 5OR	7/8"	2	.70	7	EE
" 6OR	1"	1	.65	7	FF
" 6OR	1"	2	.70	7	EE
" 7OR	1 1/8"	1	.65	7	FF
Travacoustic	1"	1	.70	2	FF
Acoustimetal	1 5/8"	8	.85	4	BB

Recommendations

On the basis of the foregoing data, wherein the materials meet the sound absorption requirements of Federal Specifications SS-A-118 for the classes as listed, the Committee recommends the approval of the following materials as incombustible materials, under Section C26-88.0 (1.80) and as acoustical materials under Section C26-178.0, b (2.1.2.5), Administrative Building Code, when made to the specifications herein provided, when applied as herein prescribed and when sold under the following names: Acoustex, Travacoustic, Acoustimetal.

The Committee also recommends the approval of Econocoustic also sold under the name of Fibre Acoustical Tile) when manufactured to meet the sound absorption requirements of Federal Specifications SS-A-118, Type 8 under Section C26-178.0b (2.1.2.5), complying in physical properties and when uses are in accordance with the Board's "Rules on Uses of Insulating Fibre Board," and as supplemented herein.

The Committee further recommends approval for use in Class 1 and Class 2 construction when backed solidly with fire-resistant materials in accordance with the requirements of C26-667, paragraph 3 and 8 (10.9.2.3, and 10.9.2.8).

It is further recommended that each package or container of these acoustical materials, when used in New York City, shall be marked, stamped or labelled as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 985-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gold Bond Acoustical Products (Econocoustic, Acoustex and Acoustimetal), on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with the above report.

Adjourned, 5:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals (held on Tuesday, September 24, 1940, as they appeared in Bulletin No. 40, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(302-40-BZ)

WHEREAS, Ferdinand Savignano, for Joseph Molina, owner, filed March 25, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the extension and, also, conversion of occupancy of the first story of an existing building to a saw and planing mill; premises 1348-1350 (1340 displayed) 60th street, south side, 340 ft. east of 13th avenue (Block No. 5719, Lot No. 24), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 24, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 60th street is in a business use district; 61st street is in an unrestricted district; New Utrecht avenue is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 5610-39, dated May 1, 1940, reads:

"Large woodworking shop, which may be classed as a saw and planing mill, located in a business use district, is contrary to B.Z. Resolution, Art. II, Sect. 4-A (31)."

and

WHEREAS, the premises consist of a three-story non-fireproof building, 20 ft. by 50 ft. in area at first story; occupied as a store on the first story and for two families above; it is proposed to extend the building on the first story to cover the entire plot (40 ft. by 100 ft. and to change the occupancy of the first story to a saw and planing mill; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under sections 7c and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under sections 7c and 21 thereof, for a term of ten (10) years, to permit the premises under appeal to be occupied for a woodworking establishment, arranged and equipped substantially as proposed, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto as well as to the requirements of the State Labor Law as to the cyclone dust and sawdust exhaust system, which shall be installed and maintained at all times; that the building proposed shall not be erected nearer to the street line of 60th street than five (5) feet; that the work of the establishment shall be conducted only between the hours of 8 A.M. and 6 P.M. on working days, exclusive of Sundays and holidays; that no sign shall be erected on the building other than a permanent sign attached to the front of the building; that no windows or doors shall be constructed or maintained in the side or rear walls opening upon the adjoining premises; that the first story of the existing building shall not be used in connection with the proposed woodworking shop, except as offices and showrooms in connection therewith, and shall be separated from the balance of the building by fireproof walls and doors; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

* Correction—The words "the front wall of the firehouse on the adjoining plot" deleted in lines 50 and 51 of the resolution and "five (5) feet" inserted therefor.

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OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for

Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A.P.I.)	40—44°
No. 1 Fuel Oil	"	"	"	36—40°
No. 2	"	"	"	32—36°
No. 3	"	"	"	28—32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1. All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$P \times r \times F$$

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

$$T \times E$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet	24,000 "
If distant 40 feet	36,000 "
If distant 50 feet	48,000 "
If distant 60 feet	60,000 "
If distant 75 feet	96,000 "
If distant 85 feet, or more	100,000 "
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of a

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such

control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve inches (12") beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic when operating,

shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Monroe Oil Pump	658-26-SA
American Marsh Simplex	639-25-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Fuel Oil Pump	215-31-SA	Northern Rotary	1396-24-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Pascoe Pump Set	1029-26-SA
Ballard Duplex Electric Driven Pump Set ..	1413-22-SA	Petro-Nokol Industrial Oil Pump	570-32-SA
Beach Russ Co. Rotary	1134-22-SA	Quiet May Gerotor Pump	267-32-SA
Blackmer Rotary	935-24-SA	Quimby Screw Pump, Sizes 2 in., 2½ in., 3 in., 3¼ in., 3½ in., 4 in., 5¼ in., 6 in., 7 in. and 8 in.	1193-21-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Century Rotary	908-21-SA	Ray Rotary	588-25-SA
Cook Electric Oil Pump	603-25-SA	Rotary Pressure Pump	1060-25-SA
Davidson	590-21-SA	Rotary Vacuum Pump	513-25-SA
Dean Bros. Durable Duplex	840-22-SA	Samson Magnetic Fuel Oil Pump	163-34-SA
DeLaval IMO Oil Pump	628-32-SA	S. B. U. Pumps, Models A, B, C and D	410-32-SA
Deming Double Oscillating Force Pump	458-27-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Deming Fuel Oil Pump	298-31-SA	Tate-Jones	492-21-SA
Enterprise Oil Pump	11-28-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Exeter Rotary	507-22-SA	Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
General Electric Oil Pump	475-32-SA	Tuthill Model B Fuel Oil Pump	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump	437-31-SA	Union Steam Pump for Fuel Oil	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump	503-24-SA	Wayne Oil Pump & Fan Set	1155-25-SA
Koerting Gear Pump	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T ..	23-34-SA
Kraissl Fuel Oil Pump	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex	194-22-SA
Marsh Fuel Oil Pump	1050-23-SA	Yale and Towne Tri-Rotor Pump	191-39-SA
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M. D. Rotary	52-27-SA		
Milwaukee Piston Rotating Port Pump	763-25-SA		

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

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CHARLES M. BLUM
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JOSEPH J. DOYLE, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

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Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

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Alt. 2867-40.

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avenue (Block No. 2527, Lot
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hattan, N.B. 24-40.

1019-40-A-WF.H.B.Q.....102-31 Queens boulevard, south-
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(Block No. 2137, Lot No. 8),
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Queens, N.B. 3186-40.

1020-40-BZ....H.B.Q.....257-47 Little Neck parkway,
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avenue, and 308-310 East 150th
street (Block No. 2331, Lot
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1023-40-BZ....H.B.Q.....110-14 New York boulevard, west
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hoff avenue (Block No. 2938,

Lot No. 39), Jamaica, Bor-
ough of Queens,
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1024-40-SM.....Mule Hide, Extra Heavy, No. 65,
and Mule Hide, Super Heavy,
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Lehon Company, Material.

1025-40-A.....H.B.Q.....1936 Madison street, southeast
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terrace (Block No. 9845, Lot
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N.B. 6787-40.

1029-40-A.....H.B.Q.....165-10 Baisley boulevard, south
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309-33-SA.....Hercules Automatic Oil Burner, Model H, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Fuel Oil Burners for Domestic and Commercial UseSept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pipe TerminalsSept.	10, 1940—Vol. 25, No. 37
Fuel Oil Burners for Industrial Use.....Sept.	3, 1940—Vol. 25, No. 36
Fuel Oil Pumps .....Oct.	29, 1940—Vol. 25, No. 44
Gas Heaters .....Sept.	3, 1940—Vol. 25, No. 36
Paint, Varnish and Lacquer Spraying Equipment .....Sept.	10, 1940—Vol. 25, No. 37
Range Oil Burners and Space Heaters .....Sept.	3, 1940—Vol. 25, No. 36
Vacuum Breakers .....Sept.	10, 1940—Vol. 25, No. 37

NOVEMBER 6, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 6, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 372-29-BZ—Application of John F. Meehan, applicant, on behalf of Dollar Savings Bank of the City of New York, owner, reopened April 9, 1940, under section 21 of the building zone resolution, to permit the further extension into a residence use district of a business building (stores) previously granted by the Board; premises 2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company, owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue,

east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

CAL. NO. 494-40-BZ—Application, May 8, 1940, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Johanna C. Funke owner, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station premises 2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

CAL. NO. 342-40-BZ—Application, April 4, 1940, under sections 7h and 21 of the building zone resolution, of Emil Levin, applicant, on behalf of Salvin Realty Company, Incorporated, and Emile E. Rathgeber owners (S. Amaru, lessee), to permit in a business use district and residence use district the parking and storage of more than five (5) motor vehicles premises 31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-14 43rd street, west side, 157.5 ft. south of 31st avenue (Block No. 692, Lot Nos.

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36, 37 and 51), Astoria, Borough of Queens.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 860-40-BZ—Application, August 16, 1940, under sections 21 and 7f of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Fairtown Construction Corporation, owner, to permit in a business use, "D" and "E" area district the erection of a business building covering a greater area of that portion of the plot within the "E" area district than permitted, to permit the omission of the required setback within the "E" area district and to use a portion of the building as a garage for more than five (5) motor vehicles; premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens.

Appeal from Administrative Decision.

982-40-A—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 6, 1940, 2 P. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 6, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

Appeals from Administrative Decisions.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

808-40-A—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

805-40-A—150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 14), Borough of Brooklyn.

1003-40-A—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

974-40-A—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

862-40-A—East side of Smith street, from Halleck to Sigourney streets (Block No. 493, Lot No. 1), Borough of Brooklyn.

1018-40-A—220-230 Madison avenue and 16-20 East 37th street, southwest corner (Block No. 866, Lot Nos. 18, 19, 20 and 60 to 68, inclusive), Borough of Manhattan.

1011-40-A—357 Franklin avenue, east side, 23 ft. north of Lexington avenue (Block No. 1968, Lot No. 2), Borough of Brooklyn.

1025-40-A—1936 Madison street, southeast corner of Fairview avenue (Block No. 3481, Lot No. 39), Ridgewood, Borough of Queens.

1051-40-A—South side of Metcalf avenue, 1,350 ft. south of Randall avenue and 935 ft. southeast of Noble avenue (Block No. 3488, Lot No. 1), Soundview Park, Borough of The Bronx.

1014-40-A—55-14 Grand avenue, south side, 40 ft. west of 56th street (Block No. 2619, Lot No. 1), Maspeth, Borough of Queens.

1054-40-A—62-93 60th place, northeast corner of Bleecker street (Block No. 3519, Lot Nos. 1 and 5), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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NOVEMBER 13, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 13, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 1182-39-BZ—Application, September 26, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Post Sherman Corporation, owner (Abraham Rubenstein, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

CAL. NO. 1493-39-BZ—Application, December 12, 1939, under sections 7h and 21 of the building zone resolution, of Valentine Bangert, applicant and lessee, on behalf of Henry W.

S. Bangert, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 [892], Lot Nos. 38 and 41), Jamaica, Borough of Queens.

CAL. NO. 486-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of West 17th Street Realty Corporation, owner, to permit in a residence use district the maintenance of a motor vehicle repair shop; premises 254-256 West 17th street, south side, 152 ft. east of Eighth avenue (Block No. 766, Lot No. 75), Borough of Manhattan.

CAL. NO. 568-40-BZ—Application, May 25, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of 260 West 125th Street, Incorporated, owner, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 259-261 West 124th street, north side, 200 ft. east of Eighth avenue (Block No. 1930, part of Lot No. 55), Borough of Manhattan.

CAL. NO. 224-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Hanover Service Station, Incorporated, owner, reopened September 17, 1940, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West

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172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 1289-39-BZ—Application, October 17, 1939, under sections 21 and 7h of the building zone resolution, of Charles Gomes, applicant and lessee, on behalf of Port of New York Authority, owner, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 879-38-BZ—Application, October 3, 1938; dismissed for lack of prosecution June 27, 1939; reopened and restored to Calendar October 29, 1940, under sections 7h and 21 of the building zone resolution, of Louis Marabini, applicant, on behalf of Columbia University, Presbyterian Church, New York Public Library and Metropolitan Museum of Art, owners, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles on a plot occupied, in part, by a building used for body and fender repairs and brake and ignition service; premises 31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c

and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

CAL. NO. 544-40-BZ—Application, May 20, 1940, under sections 21 and 7c of the building zone resolution, of Morris Perlstein, applicant, on behalf of Coney Island Soda Water Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

Appeals from Administrative Decisions.

623-40-A—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1940, 2 P. M.

Appeals from Administrative Decisions.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

994-40-A—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn.

1010-40-A—80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens.

CALENDAR

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jerome Avenue Corporation, owner, reopened October 8, 1940, for consideration as to extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1090-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone

resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 843-40-BZ—Application, August 6, 1940, under section 7c of the building zone resolution, of Daer Properties, Incorporated, applicant and owner, to permit in a residence use district, extending from a business use district, the alteration of an existing multiple dwelling with stores on the first story, so as to provide additional store use in the residence use district; premises 147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

1004-40-A—228 Bay street, west side, 151 ft. north of Hanah street (Block No. 498, Lot No. 74) Tompkinsville, Borough of Richmond.

DECEMBER 10, 1940, 2 P. M.

Appeal from Administrative Decision.

696-39-A—2321 Third avenue and 201 East 126th street northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, OCTOBER 29, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, October 15, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, October 15, 1940, were approved as printed in Bulletin No. 43, Volume 25.

BUILDING ZONE CASES.

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Application reopened June 4, 1940 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, George A. Marshall and Benjamin Schlanger.

For Opposition: Lawrence Guion, A. J. Burns, Maurice B. Lieberman and Benjamin Schulman.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1938 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station (previously granted by the Board for a temporary period).

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., on request of applicant.

329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Incorporated, owner.

SUBJECT—Application reopened July 2, 1940 (re decision of the borough superintendent of buildings), under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension, to be used for business purposes (store), to an existing building used for multiple dwelling with stores, located partly in a business use district and partly in a residence use district (previously granted by the Board).

PREMISES AFFECTED—888 Grand Concourse and 172-

180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Abraham Rubin.

For Opposition: Eliot E. Berkwit and Oscar Quinto.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for further notice to an affected property owner.

1289-39-BZ.

APPLICANT—Charles Gomes (lessee), for Port of New York Authority, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 21 and 7h of the building zone resolution, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Gomes and Philip Schlissel.

For Opposition: Jacob J. Talbot and John F. De Angeli.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

470-40-BZ.

APPLICANT—Lama and Proskauer, for William Cohn, owner (Jacob Newmark, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for further inspection by a committee of the Board and decision by the Board.

544-40-BZ.

APPLICANT—Morris Perlstein, for Coney Island Soda Water Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7c of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage).

PREMISES AFFECTED—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Perlstein.

For Opposition: Rose Yagendorf.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for inspection by a committee of the Board.

672-40-BZ.

APPLICANT—Joseph B. Lynch, for Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee).

MINUTES

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station.
PREMISES AFFECTED—413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joseph B. Lynch.
For Opposition: None.
ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for additional information from Fire Department.

578-40-BZ.

APPLICANT—Lama and Proskauer, for Ozark Realty Corporation, owner.
SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension of an existing gasoline service station.
PREMISES AFFECTED—1716-1726 Utica avenue, southwest corner of Avenue I (Block No. 7775, Lot No. 47), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: None.
ACTION OF BOARD—Application withdrawn after argument.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

124-36-BZ.

APPLICANT—J. Jacques Stone, for Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee).
SUBJECT—Application reopened and restored to Calendar September 17, 1940 (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution).
PREMISES AFFECTED—63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan.
APPEARANCES—
For Applicant: J. Jacques Stone, Kent Tweedy, John W. Hanson and Mr. Meyers.
For Opposition: Julius Wagner.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
THE RESOLUTION—

(124-36-BZ)

WHEREAS, this application to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles, premises 63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan, was dismissed by the Board for lack of prosecution October 6, 1939; and
WHEREAS, J. Jacques Stone, for the Trustees of Mortgage Series C-2, owners, requested a reopening of the application and restoration to the Calendar; and

WHEREAS, this application was reopened by vote of the Board September 17, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 35th street is in a restricted retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Drop Curb Application No. 156-40, dated August 9, 1940, reads:

"1. The parking and storage of more than five motor vehicles in a restricted retail district is contrary to Art. 2, Sec. 4, subdiv. 15 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground 74.10½ ft. by 98.9 ft., which it is proposed to occupy for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the transient parking of motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be leveled to the grade of West 35th street, and shall be surfaced with steam cinders, clean gravel or other suitable surfacing material, properly rolled and bound to prevent dusting; that proper surface drainage shall be provided; that on the side lot lines, where walls of adjacent buildings do not occur, there shall be erected a substantial heavy woven-wire fence of the chain-link type, with steel posts, of not less than 6 ft. in height, and a similar fence on the street building line of West 35th street, with not over two openings therein not over 15 ft. in width each; that other than those curb cuts as permitted, all other curb cuts shall be removed and the curbs restored; that the sidewalk shall be repaired or resurfaced; that during the term of this permit the premises shall be used for no other use other than as herein permitted; that no other building shall be erected other than a building not over 100 sq. ft. in area and one story in height as an office and shelter for the attendant; that such building may be of frame construction; that there shall be no advertising on the premises, except for a sign attached to the fence advertising transient parking use, provided such sign does not exceed 15 sq. ft. in area and is not illuminated and does not extend beyond the building line; that proper aisles shall be maintained at all times for easy entrance and egress; that there shall be a space of not less than 18 in. left between every other row of cars; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that a bumper not less than 18 in. in width shall be maintained against the side walls of adjoining buildings as a protection; that lights for general illumination shall be on post standards, with metal reflectors so arranged as to reflect toward the center of the premises; that all permits and all work shall be completed within six (6) months from the date of this amended resolution.

223-40-BZ.

APPLICANT—Samuels and Samuels, for Elmo Realty Corporation, owner.
SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Warner Pyne.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(223-40-BZ)

WHEREAS, Samuels and Samuels, for Elmo Realty Corporation, owner, filed March 1, 1940, an application under sections 7f and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2876-2884 Eastern boulevard and 1068-1074 Revere avenue, southeast corner (Block No. 5531, Lot Nos. 1 and 4), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern boulevard and Tremont avenue are in business use districts; Revere avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 84-1940, dated February 1, 1940, reads:

"1. Proposed use (gasoline service station, office, laundry and lubritorium) prohibited in a business district. Sec. 4, Art. 2 of Amended Building Zone Resolution."

and

WHEREAS, the premises consist of a vacant plot of ground 100.68 ft. by 88.74 ft. in area, on which it is proposed to erect a one-story, non-fireproof building, 52 ft. by 38 ft., irregular in area, to be occupied as office, laundry and lubritorium and to erect the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, of the building zone resolution; and

WHEREAS, the Board deemed, further, that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 84-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

347-40-BZ.

APPLICANT—Thomas W. Lamb, Incorporated, for Bowery Savings Bank, owner.

SUBJECT—Application reopened September 10, 1940 (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the maintenance on a portion of the premises for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-136 East 47th street

(Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas W. Lamb, Harry Williams, J. O. Carter, J. J. McNamara, Gerald E. Dwyer and Charles Van Buren.

For Opposition: Patrick J. Gowney, Russell H. Dorr, Benjamin Gollay, J. Wilfred Eidt, Alfred T. Mamon and Harry Cohen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

THE RESOLUTION—

(347-40-BZ)

WHEREAS, this application, to permit in a business use district, under sections 7g and 21 of the building zone resolution, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 479-495 Lexington avenue, east side, from East 46th street to East 47th street, 127-149 East 46th street and 130-146 East 47th street (Block No. 1301, Lot Nos. 20 to 28, inclusive, and 47 to 53, inclusive), Borough of Manhattan; and

WHEREAS, Thomas W. Lamb, Incorporated, for Bowery Savings Bank, owner, requested a reopening of the application, under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board September 10, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lexington avenue, east of 46th street and east of 47th street, is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 212-38, dated August 20, 1940, reads:

"Contrary to Sect. 4.15 Building Zone Resolution to use building on premises in a business district for storage and parking automobiles, to exceed 5 motor vehicles."

and

WHEREAS, the premises consist of a plot fronting 200 ft. 10 in. on Lexington avenue, 220 ft. on East 42nd street and 165 ft. on East 47th street, upon which it is proposed to erect a one-story building, 200 ft. 10 in. on Lexington avenue to a depth of 60 ft. on East 47th street, to be occupied as stores, and a one-story office building, and to occupy a portion of the premises east of a point 63 ft. east of Lexington avenue for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate his basis of appeal under section 21 of the building zone resolution, and that section 7h does not apply as the plot is not vacant, and was, therefore, not entitled to relief.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 212-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

471-40-BZ.

APPLICANT—Philip Birnbaum, for Crescent Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the build-

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ing zone resolution, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling.

PREMISES AFFECTED—Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(471-40-BZ)

WHEREAS, Philip Birnbaum, for Crescent Holding Corporation, owner, filed May 6, 1940, an application under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles within a multiple dwelling; premises block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a retail and business use district; 113th street is in a residence use district; 77th avenue is in a residence, retail and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5845-39, dated July 11, 1940, reads:

"1. The above location is in a retail and residence use district under Article 2 of the Building Zone Resolution. A garage in a multiple dwelling at the above location in a retail district for more than 5 cars, as indicated on plans filed, is contrary to Article 2, Section 4A and Section 4, sub. div. A-15 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 208 ft. on Queens boulevard, 200 ft. on 77th avenue and 192.72 ft. on 113th street, upon which there has been erected a six-story, Class 3 building, 70 ft. in height and 195 ft. 6 in. by 167 ft. in area, occupied as a Class A multiple dwelling with stores on the first story, facing Queens boulevard in front; it is proposed to occupy a portion of the basement story, approximately 11,600 sq. ft. in area, for the storage of more than five (5) motor vehicles as an accessory to the multiple dwelling; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the requirements of the building zone resolution shall be complied with in all other respects; that the garages shall comply with the requirements of section 60 of the Multiple Dwelling Law and the resolution of the Board under Cal. No. 917-40-A; that all permits required

shall be obtained and all work completed within one (1) year from the date of this action.

991-40-BZ.

APPLICANT—Herbert S. Thomson, Jr., for Unexcelled Manufacturing Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7a of the building zone resolution, to permit in a residence use district the erection of three (3) business buildings to be used in conjunction with an existing plant for the manufacture of pyrotechnics.

PREMISES AFFECTED—1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Buildings A, B and C); (Block No. 1660, Lot No. 1), Graniteville, Borough of Richmond.

APPEARANCES—

For Applicant: Herbert S. Thomson, Jr., Clark B. Allan and L. G. Brower.

For Opposition: Robert J. Abraham, Connie Pagliaro, Elizabeth Valorosa and Arthur A. Fox.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(991-40-BZ)

WHEREAS, Herbert S. Thomson, Jr., for Unexcelled Manufacturing Company, owner, filed October 11, 1940, an application under section 7a of the building zone resolution, to permit in a residence use district the erection of three (3) business buildings to be occupied in conjunction with an existing plant for the manufacture of pyrotechnics; premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Buildings A, B and C); (Block No. 1660, Lot No. 1), Graniteville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Richmond avenue, West Side parkway, Andover street and Deppe place are in business use districts; Chemung avenue, Chenango avenue and Berkeley street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application Nos. 377-40, 405-40 and 406-40, dated October 9, 1940, reads:

"1. Contrary to the Zoning Resolution of the City of New York to erect a building for a business use in a Residence Use District. (Sec. 3)."

and

WHEREAS, the premises consist of a plot fronting 899 ft. on Richmond avenue with a depth of 1,630 ft. therefrom, upon which there has been erected a series of buildings occupied for the manufacture of pyrotechnics; it is proposed to erect on the plot three (3) additional buildings more fully described as follows:

Building A is to be located on the north side of Chemung avenue, approximately 1,225 ft. west of Richmond avenue, will be one story (13 ft.) in height and 20 ft. by 60 ft. in area, of frame construction, and surfaced on the exterior with corrugated iron, to be used for storage.

Building B is to be located on the south side of Chemung avenue, 975 ft. west of Richmond avenue, will be one story (13 ft.) in height and 20 ft. by 30 ft. in area, of frame construction, and surfaced on the exterior with novelty siding, and on the roof with asphalt shingles; this building will be occupied for the storage of parts.

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Building C is to be erected on the south side of Chemung avenue, approximately 125 ft. west of Richmond avenue, will be one story (13 ft.) in height and 20 ft. by 60 ft. in area, surfaced on the exterior with novelty siding and on the roof with asphalt shingles; this building also will be occupied for storage.

and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7a of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7a thereof, for a term of two (2) years, to permit the construction of the buildings as proposed, *on condition* that they shall be no larger than the size indicated and shall be used solely for the purpose of storing of parts to be used in connection with the operation of the fireworks plant on the premises; that the buildings shall comply with the Building Code in all respects; that the surfacing of the exteriors and the surfacing of the roofs shall be of approved incombustible materials; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

602-40-A.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

623-40-A.

APPLICANT—Morris Perlstein, for Coney Island Soda Water Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Perlstein.

ACTION OF BOARD—Laid over to November 13, 1940, at 10 A.M., for inspection by a committee of the Board.

917-40-A-MD.

APPLICANT—Philip Birnbaum, for Crescent Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings, under section 60 of the Multiple Dwelling Law, to permit, partly in a residence use district and partly in a retail use district, the maintenance of a garage for more than five (5) motor vehicles accessory to and within a multiple dwelling.

PREMISES AFFECTED—Block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Philip Birnbaum.

For Administration: M. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(917-40-A-MD)

WHEREAS, Philip Birnbaum, for Crescent Holding Corporation, owner, filed September 16, 1940, an appeal from a decision of the borough superintendent of buildings, pursuant to section 60 of the Multiple Dwelling Law, to permit in a residence and retail use district the maintenance of a garage for more than five (5) motor vehicles within a multiple dwelling; premises block front, north side of 77th avenue, from Queens boulevard to 113th street (Block No. 2266, Lot No. 79), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this appeal by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, pursuant to section 60 of the Multiple Dwelling Law, after due notice by publication in the Bulletin of the Board of Standards and Appeals and service of notice by registered mail on the owners of property lying within 150 ft. radius of the entrance to the garage portion of the building; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5845-39, dated September 9, 1940, reads:

"1. Garage in multiple dwelling at the above location must be approved by the Board of Standards and Appeals in accordance with section 60, sub. div. 7 of the Multiple Dwelling Law."

and

WHEREAS, the premises consist of a plot fronting 208 ft. on Queens boulevard, 200 ft. on 77th avenue and 192.72 ft. on 113th street, upon which there has been erected a six-story building, 70 ft. in height and 195 ft. 6 in. by 167 ft. in area, of Class 3 construction, occupied as a Class A multiple dwelling with stores on the first story facing on Queens boulevard in front; it is proposed to occupy a portion of the basement story, approximately 11,600 sq. ft. in area, for the storage of more than five (5) motor vehicles as an accessory to the multiple dwelling; and

WHEREAS, the applicant contends that the building in question is the fourth unit of an eight-unit garden apartment house development; that Units 1, 2 and 3 have garages for tenants' motor vehicles, which were granted by the Board of Standards and Appeals; that the building in question will have accommodations for 114 families and storage space has been provided for approximately fifty-six cars; that the storage space conforms in all respects with section 60 of the Multiple Dwelling Law in that it is fireproof throughout, entirely independent of the building proper, and equipped with an independent approved sprinkler system and mechanical exhaust ventilation; that no alterations to the building are necessary as the storage space exists, having been previously designated on the approved plans as "General Storage"; that the garage entrances are within 150 ft. of the premises owned by the same owner; and

WHEREAS, the Board is empowered under the provisions of section 60 of the Multiple Dwelling Law to exercise its discretion to grant an appeal under these circumstances.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5845-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the pro-

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posed garage shall comply in all other respects with the requirements of the building zone resolution as varied by the Board under Cal. No. 471-40-BZ and that the requirements of section 60 of the Multiple Dwelling Law and all other laws, rules and regulations shall be complied with, *on condition* that the sprinkler system and the mechanical ventilating systems shall comply with the requirements of the Building Code therefor; that an emergency exit shall be provided from the garage space at the northerly end, opening to the side yard, with necessary steps to reach yard level; that such door shall be fireproof, self-closing, equipped with a panic bolt for easy exit in case of fire, but shall remain closed normally and shall not be used as an entrance to the garage; that proper exit lights shall be furnished at both exits; that all permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

Adjourned, 2:55 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, OCTOBER 29, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

429-37-BZ.

APPLICANT—Samuels and Samuels, for Morris Roth, owner.

SUBJECT—Application for consideration—reopening and rehearing under section 7f of the building zone resolution—re Application (decision of the commissioner of buildings), previously granted on condition under section 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; Board's decision reversed by Court.

PREMISES AFFECTED—47-11 10th street and 108-09 48th avenue, northeast corner (Block No. 2003, Lot No. 84), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

879-38-BZ.

APPLICANT—Louis Marabini, for Columbia University, Presbyterian Church, New York Public Library and Metropolitan Museum of Art, owners.

SUBJECT—Application for consideration—reopening and restoration to Calendar (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles on a plot occupied, in part, by a building used for body and fender repairs and brake and ignition service (previously dismissed for lack of prosecution).

PREMISES AFFECTED—31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and set for hearing November 13, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

554-37-BZ.

APPLICANT—Smith and Weber (lessees), for Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), previously granted under section 7h of the building zone resolution, permitting, partly in a retail use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—896-908 Eighth avenue, 260-266 West 54th street, southeast corner, and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(554-37-BZ)

WHEREAS, Smith and Weber (lessees), for Board of Transportation, City of New York, owner, filed November 23, 1937, an application under the building zone resolution, to permit, partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner, and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan; and

WHEREAS, this application was granted by the Board November 15, 1938, on certain conditions, the resolution amended January 31, 1939, and applicant requested an extension of the permit of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 15, 1938, as amended January 31, 1939, as to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a term of two (2) years from the date of this amended resolution."

197-39-BZ.

APPLICANT—Louise E. De Vito, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop.

PREMISES AFFECTED—150-47 12th road and 12-28 to 12-30 Cross Island boulevard, northwest corner (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Louise E. De Vito.

MINUTES

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(197-39-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop, premises 150-47 12th road, northwest corner of Cross Island boulevard (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens, was granted by the Board March 12, 1940, on certain conditions; and

WHEREAS, Louise E. De Vito, owner, requested an extension of time in which to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 12, 1940, only insofar as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work shall be completed within three (3) months from the date of this amended resolution."

"that all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

1161-39-BZ.

APPLICANT—Milton B. Weissman, for Michael McCormick, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings)—re Application, previously granted on condition under section 7c of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop partly on an existing gasoline service station.

PREMISES AFFECTED—4302-4308 Farragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael McCormick and Milton B. Weissman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(1161-39-BZ)

WHEREAS, this application, under sections 7a and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop partly on an existing gasoline service station, premises 4302-4308 Farragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn, was granted by the Board May 21, 1940, on certain conditions; and

WHEREAS, Milton B. Weissman, for Michael McCormick, owner, requested amendment of the resolution as to arrangement of the premises.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 21, 1940, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c, to permit the extension of the legally existing accessory building by the construction of the proposed one (1) story building used for automobile repairs and storage of five (5) cars, office, toilet and boiler room, *on condition* that this portion of the building shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing is of approved type; that any boiler room construction shall be above grade and separated from the balance of the building by fireproof materials and enterable only from the exterior; that any doors between the proposed automobile repair shop and the existing accessory building shall be fireproof and self-closing; that no doors to any portion of the accessory building and no vestibule shall extend beyond the building line; that there shall be no windows constructed opening upon the adjoining premises; that no additional pumps erected shall be nearer than 15 ft. to any street building line; that no additional curb cuts shall be constructed other than those now existing, except that a curb cut may be constructed at the entrance to the proposed automobile repair shop; that automobile repairing to be carried on shall be such

751-39-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), previously granted on condition under section 7c of the building zone resolution, permitting, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph A. Lynch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(751-39-BZ)

WHEREAS, this application, under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station, premises 921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 20), Borough of The Bronx, was granted by the Board October 10, 1939, on certain conditions, and the applicant requested an extension of time in which to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 10, 1939, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

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as can be done with the use of hand tools only, except that a grinder and drill requiring a motor of not over one-half horsepower may be permitted; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.

Resolved further, that in the event the owner desires to arrange the premises substantially as indicated on the revised plans marked 'Received October 23, 1940,' such arrangement may be permitted, provided the general requirements of this resolution are complied with.'

421-40-BZ.

APPLICANT—J. Jacques Stone, for W. Goadby Loew and U. S. Trust Company of New York, as trustee of Estate of Charles F. Rowe, owners, 120 East 32nd Street Parking Corporation, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy 3

Negative: Commissioner Savage 1

THE RESOLUTION—

(421-40-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan, was granted by the Board July 16, 1940, on certain conditions, and the applicant requested amendment of the resolution as to fences on interior lot lines.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 16, 1940, only so far as it has reference to the fences on the interior lot lines, so that as amended this portion of the resolution shall read:

"that on the interior lot lines, where walls of adjoining buildings do not occur, there shall be erected a substantial wooden or woven-wire fence not less than 7 ft. in height; that a substantial woven-wire fence shall be erected along the building line of East 32nd street continuously, except for an entrance not over 15 ft. in width with curb cut opposite of similar width."

919-40-BZ.

APPLICANT—George A. Boehm, for Victor Moore and Broadway-75th Street Corporation, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7j of the building zone resolution, to permit in a business use district the erection of a business building to be occupied in part as a bus station.

PREMISES AFFECTED—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: George A. Boehm, Cornelius G. De Loca, John J. Reardon, M. P. St. Clair, A. C. Wolf and A. E. MacDougall.

For Opposition: Mary Berendos, Louise Roncoli and Mary Nedell.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(919-40-BZ)

WHEREAS, George A. Boehm, for Victor Moore and Broadway-75th Street Corporation, owner, filed September 17, 1940, an application under section 7j of the building zone resolution, to permit in a business use district the erection of a business building to be occupied in part as a bus station; premises 74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot Nos. 29 and 33), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 29, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and Roosevelt avenue are in business use districts; 74th, 75th and 76th streets are each in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6265-40, dated September 11, 1940, reads:

"2. The erection of a bus station within a business district is contrary to article 2, section 4, subsection 47 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on Roosevelt avenue, 138.32 ft. on 75th street and 122.75 ft. on Broadway, on which there exists a one-story and cellar business building, 100 ft. by 70.41 ft., irregular in area, and occupied as stores; it is proposed to demolish the existing building and to erect on the site a two-story building, 122.75 ft. by 138.32 ft., irregular in area, and 24 ft. 6 in. in height, of Class 3 construction, to be used as a business building (stores, offices and bus station), as shown on plans filed September 17, 1940; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision j, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7j thereof, to permit the construction of the bus station, substantially as proposed and according to the arrangement indicated on revised plan marked "Received October 28, 1940," on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the curb cuts shall not substantially exceed the width indicated on revised plans and shall be located as shown thereon; that no portion of any curb cuts shall be nearer than 5 ft. to any building line as projected; that no buses shall be stored on the premises and that there shall be no servicing of buses; that all permits required shall be

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obtained and all work completed within one (1) year from the date of this resolution.

953-40-BZ.

APPLICANT—Electus D. Litchfield, for Fairchild Aviation Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7c of the building zone resolution, to permit the erection of an extension to a factory building in a business use district on a plot located partly in an unrestricted use district and partly in a business use district.

PREMISES AFFECTED—134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard, west side, 80 ft. south of Jamaica avenue (Block No. 9342 [236], Lot Nos. 25, 9 and 7), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Electus D. Litchfield and J. S. Ogsburg, Jr.

For Opposition: George S. Ader and Robert J. Dixon.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(953-40-BZ)

WHEREAS, Electus D. Litchfield, for Fairchild Aviation Corporation, owner, filed October 1, 1940, an application under section 7c of the building zone resolution, to permit the erection of an extension to an existing factory building in a business use district on a plot located partly in an unrestricted and partly in a business use district; premises 134-22 Jamaica avenue, south side, 200.17 ft. west of Van Wyck boulevard, and 88-06 Van Wyck boulevard, west side, 80 ft. south of Jamaica avenue (Block No. 9342 [236], Lot Nos. 25, 7 and 9), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 22, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business use district; Van Wyck boulevard is in business and unrestricted use districts; 134th street is in business and residence use districts; 89th avenue is in residence and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2428-40, dated September 26, 1940, reads:

"1. Proposed addition to existing factory said addition being partially within a business district is contrary to article 2, section 4, sub-section 51c of the Building Zone Resolution."

nd

WHEREAS, the premises consist of a plot of ground fronting 133.44 ft. on Jamaica avenue, with a depth of 381.31 ft. (irregular) therefrom and a frontage of 74.30 ft. on Van Wyck boulevard; there is an existing four-story fireproof factory building, 206 ft. 10 in. in depth, located entirely within the unrestricted portion of the plot; it is proposed to erect a four-story fireproof addition to the existing factory building, the addition to be 116 ft. 2 in. by 166 ft. 6 in. in area and be located at the Jamaica avenue front of the lot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed, after recommendation by a committee of the Board, that the application be granted for a

temporary term of two (2) years and that this was a proper case in which to exercise its discretion to grant under section 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, for a term of two (2) years, to permit the extension of the area to be used for factory purposes to the full area of the building as proposed, *on condition* that the building shall not be further increased in height or area; that the building shall be constructed substantially as proposed, except that the front elevation on Jamaica avenue shall be redesigned so as to present a non-industrial factory appearance; that plans showing the elevation of the Jamaica avenue facade shall be submitted to the Board for further consideration prior to filing same with the Building Department; that there shall be erected on the building line of Jamaica avenue, between the proposed building and the side lot line to the west, a substantial ornamental iron fence and gate; that this gate shall be used for exit purposes only and shall not be used as an entrance or exit for merchandise or materials; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within nine (9) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

805-40-A.

APPLICANT—Saul Goldsmith, for Frank Moczynski, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 6, 1940, at 2 P.M., to amend application.

808-40-A.

APPLICANT—Charles Wagner Manufacturing Company, Incorporated (lessee), for A. Ludwig and Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar H. Schulz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to November 6, 1940, at 2 P.M., for inspection by a committee of the Board.

994-40-A.

APPLICANT—Lama and Proskauer, for Empire State Varnish Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 13, 14, 15 and 22), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 13, 1940, at 2 P.M., on request of applicant.

1003-40-A.

APPLICANT—Michael Glick, for Remsark Realty Corporation, owner (Rabbi S. Flaum, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Glick and Hyman Getzoff.

ACTION OF BOARD—Laid over to November 6, 1940, at 2 P.M., on request of applicant.

1004-40-A.

APPLICANT—Oscar Nusser, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Thomas Nusser.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., for inspection by a committee of the Board.

1010-40-A.

APPLICANT—Samuel L. Malkind, for Kew Gardens Corporation, owner (Virginia Estates Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union Turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Samuel L. Malkind and Alrick H. Man, Jr.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 13, 1940, at 2 P.M., on request of applicant.

945-40-A.

APPLICANT—Lama and Proskauer, for Benjamin Alter, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-20 Atlantic avenue, southwest corner of 113th street (Block No. 469, Lot Nos. 7 and 10), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Benjamin Alter.

For Administration: Inspector O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

984-40-A.

APPLICANT—Reis and Donovan, Inc., for Warner-Hudnut Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Reis.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, pending action by the Fire Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

636-40-A.

APPLICANT—Samuel Brenker, for Wikon Realty Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—79 Rutgers slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene Walsh and Samuel Brenker.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy

Negative

Not Voting: Commissioner Savage

THE RESOLUTION—

(636-40-A)

WHEREAS, Samuel Brenker, for Wikon Realty Corporation, owner, filed June 7, 1940, an appeal from a decision re an order of the fire commissioner; premises 79 Rutgers slip and 260 South street, northeast corner (Block No. 247, Lot No. 1), Borough of Manhattan; and

WHEREAS, order No. 20814-LC issued by the fire commissioner February 2, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system, Sec. C19-149.0 C-4, Art. 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated May 27, 1940; and

WHEREAS, the building is five stories (52 ft.) in height; 2 ft. 7½ in. by 77 ft. 7 in. in area; of Class 3 construction located in a business use C area district; erected prior to 1907, and occupied: 1st floor, vacant; 2nd floor, storage of baled woolen rags, no persons; 3rd floor, storage of loose woolen rags (maximum 4,000 lbs.), 3 persons; 4th floor, storage of baled woolen rags, no persons; 5th floor, storage of baled woolen rags, no persons; and

WHEREAS, the applicant contends that the business has been conducted at these premises for 33 years without any fires; that only woolen rags and clippings are stored; that windows on course of fire escapes are fireproof; that all windows face on the South street side or Rutgers slip; that no portion of the floor area of the building is more than 2 ft. from a window; that the enclosing walls are 12 in. and 16 in. brick; that the floor area is small and the occupancy of the building is small; that only one floor is used for open

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ock and that the stairway leads to the roof by means of a
alkhead; that the premises are within 125 ft. of the East
ver, within 15 ft. of a high pressure hydrant and a low
essure hydrant and within 100 ft. of a fire alarm box; that
ere is no multiple dwelling within 200 ft.; that the rags
ored are a slow burning type; that the building is of slow
urning construction; that it is proposed to install in addition
the present required fire pails two approved non-freezing
rge size chemical extinguishers on the floor where open
ack is stored, and one on each of the floors containing baled
aterials; that the installation of an automatic sprinkler
stem as required by the order would result in a hardship
the owner as this type of occupancy does not yield large
ntals.

Resolved, that the order of the fire commissioner, No.
814-LC, be and it hereby is *modified* and that the appeal
and it hereby is *granted on condition* that there shall be
stalled throughout the building above the street floor a non-
automatic dry sprinkler system complying with the require-
ments of the Building Code therefor; that all hangars and
tings shall be of malleable iron; that there shall be main-
ined in the building a thermostatic signal alarm system
nnected with central district headquarters; that this varia-
on shall continue only so long as the building is maintained
ubstantially as set forth and in compliance with the require-
ments of this resolution.

4-40-A.

APPLICANT—Bernhardt T. Berman, for David Weissman,
owner.

SUBJECT—Appeal from a decision of the borough super-
intendent of buildings.

PREMISES AFFECTED—511 Bedford avenue, east side,
10 ft. south of Taylor street (Block No. 2177, Lot
No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernhardt T. Berman.

For Administration: Dewey Rothkrug, Department
of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(864-40-A)

WHEREAS, Bernhardt T. Berman, for David Weissman,
owner, filed August 21, 1940, an appeal from the decision of
the borough superintendent of buildings; premises 511 Bed-
ford avenue, east side, 10 ft. south of Taylor street (Block
No. 2177, Lot No. 8), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on
Application No. 5458-38, dated August 12, 1940,
reads:

"M. D. L.

2. Proposed room in violation of Sec. 175 and Sec. 8,
S.D. 6, M.D.L."

WHEREAS, the building is 3 stories and basement (36 ft.)
height; 20 ft. by 50 ft. in area; of class 3 construction;
located in a residence use district; erected prior to 1921, and
occupied: cellar, ordinary use; basement and first floor, con-
nectively as one family; second floor, one family; third
floor, one family. It is proposed to occupy the building:
cellar, ordinary use; basement, one family; first, second and
third floors, one family each floor; and

WHEREAS, the applicant contends that it is proposed to
erect a new partition in the basement, thus creating a new
alcove provided with an opening leading to the room ventilat-
ing on the street; that there is an existing alcove provided
with an opening leading to a room ventilating on the yard;
and an interpretation of the Multiple Dwelling Law is re-

quested as to whether or not in a converted dwelling an
interior alcove may ventilate by means of a 32½ sq. ft. open-
ing on a room which ventilates on the street or yard; and

WHEREAS, the Board is not empowered to vary the Mul-
tiple Dwelling Law and could find no basis for disagreement
with the interpretation of the section of the law by the
borough superintendent referred to.

Resolved, that the decision of the borough superintendent
on Alt. Applic. No. 5458-38, be and it hereby is *affirmed* and
that the appeal be and it hereby is *denied*.

956-40-A.

APPLICANT—Eggers and Higgins, for The F. and M.
Schaefer Brewing Company, owner.

SUBJECT—Appeal from a decision of the borough super-
intendent of buildings.

PREMISES AFFECTED—448-456 Kent avenue, northwest
corner of South 10th street (Block No. 2143, Lot
No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. J. Doolittle and George T.
Taylor.

For Administration: Dewey Rothkrug, Department
of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(956-40-A)

WHEREAS, Eggers and Higgins, for The F. and M.
Schaefer Brewing Company, owner, filed October 2, 1940,
an appeal from the decision of the borough superintendent of
buildings; premises 448-456 Kent avenue, northwest corner
of South 10th street (Block No. 2143, Lot No. 1), Borough
of Brooklyn; and

WHEREAS, the decision of the borough superintendent on
N.B. Applic. No. 2114-40, dated September 26, 1940, reads:

"2. Provide two enclosed stairways as per 6.12.3,
6.4.1.1, 6.4.1.8.1 and 6.4.1.11 of Building Code.

3. Provide standpipe system as per 16.1.1 of Building
Code.

4. All steel to be protected as per 10.1.4 and 10.2 of
Building Code."

and

WHEREAS, the building will be 8 stories (109 ft.) in
height; 120 ft. by 88 ft. 6 in. in area; of class 1 construction;
located in unrestricted use district; and occupied through-
out for the storage of beer with four persons on the first
floor only; and

WHEREAS, the applicant contends this building is designed
as a stock house for storing beer in glass lined steel tanks,
and will contain no combustible material; that the occupancy
of this building will be four men, whose duty it will be to
wash down corridors and tanks and to transfer the brew
from one tank to another; that there will be four hose
outlets spaced at equal distances in each corridor which may
be used in an emergency if required; that hoses will be
¾ in. diameter, 50 ft. 0 in. in length; that water supply for
these hoses will be from street pressure for the lower
stories and from a house tank on the upper stories; that
two stairs will be provided for this building, a 3 ft. 8 in.
required enclosed stair, and a 3 ft. 0 in. open convenience
stair; that these stairs will be connected by a 3 ft. 8 in.
corridor; that there will also be additional exits through ad-
joining buildings; that all adjoining buildings are in the
same ownership and completely fireproof in construction.

Resolved, that the decision of the borough superintendent
on N. B. Applic. No. 2114-40, Objection Nos. 2 and 3, be
and it hereby is *modified* and that the appeal be and it
hereby is *granted on condition* that in all other respects the
building shall comply with all laws, rules and regulations

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applicable thereto; that the building shall be constructed substantially as indicated on plans filed; that the buildings shall not be increased in height or area; that gas masks suitable for ammonia fumes shall be installed within the building near open stairway on alternate floors as may be required by the fire commissioner; that the standpipe in the adjoining building shall be equipped at each outlet with approved hose not less than 100 feet in length; that this variation shall continue only so long as the building is occupied as proposed; and *denied* as to Objection No. 4.

999-40-A.

APPLICANT—Dominic Salvati, for Alfonso Marri, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 81226-37.

PREMISES AFFECTED—400 Fifth avenue, west side, 26 ft. 6 in. north of Seventh street (Block No. 993, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(999-40-A)

WHEREAS, Dominic Salvati, for Alfonso Marri, owner, filed October 15, 1940, an appeal from the decision of the borough superintendent of buildings; premises 400 Fifth avenue, west side, 26 ft. 6 in. north of Seventh street (Block No. 993, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on a request for revocation of Certificate of Occupancy No. 81226-37, dated October 11, 1940, reads:

"This is to acknowledge receipt of your communication of recent date concerning the above numbered Certificate of Occupancy.

Please be advised that your request is herewith denied because of lack of jurisdiction. The Board of Standards and Appeals is the only agency authorized to revoke a Certificate of Occupancy."

and

WHEREAS, the building is four stories (46 feet) in height; 20 ft. by 50 ft. in area; of Class 3 construction; located in a business use C area district; erected prior to 1900, and occupied: cellar, storage; 1st floor, store; 2nd floor, 1 family; 3rd floor, 1 family; 4th floor, 1 family. It is proposed to occupy the building: 1st floor, same; 2nd floor, 1 family; 3rd floor, 1 family; 4th floor, 1 family; and

WHEREAS, the applicant contends that this is an appeal for revocation of Certificate of Occupancy No. 81226-37, so as to permit the owner to use the premises as an old law tenement, under which classification it was recorded prior to the year 1936; that it is proposed to make the building comply with all pertinent provisions of Article 7 of the Multiple Dwelling Law for an "Old Law Tenement."

Resolved, that the decision of the borough superintendent, refusing to revoke the certificate of occupancy, be and it hereby is *reversed* and that the appeal be and it hereby is *granted on condition* that the certificate of occupancy, No. 81226-37, be and it hereby is *revoked* in order to carry out the intention of the owner under Alt. Applic. No. 4633-40, to restore the building, formerly a tenement, to a tenement, in full compliance with the requirements therefor, as set forth in Article 7 of the Multiple Dwelling Law.

1001-40-A.

APPLICANT—Robert J. Reiley, for St. Clare's Hospital, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—416-422 West 52nd street, south side, 199 ft. west of Ninth avenue (Block No. 1061, Lot Nos. 41-44), Borough of Manhattan.

APPEARANCES—

For applicant: John F. Rowley and Gustave J. Pfost.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1001-40-A)

WHEREAS, Robert J. Reiley, for St. Clare's Hospital, Inc., owner, filed October 17, 1940, an appeal from the decision of the borough superintendent of buildings; premises 416-422 West 52nd street, south side, 199 ft. west of Ninth avenue (Block No. 1061, Lot Nos. 41-44), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N. B. Application No. 173-40, dated October 7, 1940, reads:

"1. Provide fire towers 6.5.1, BC, Art. 6.6.1 B. C. for Horizontal Exits.

4. Provide standpipes 16.1.1 B. Code."

and

WHEREAS, the building will be six stories (79 ft. 5 in.) in height; 101 ft. by 63 ft. 4 in. in area; of Class 1 construction; located in a business use B area district, and occupied: cellar, service and ambulance entrance, 18 persons; 1st floor, clinics and waiting room, 36 persons; 2nd floor, wards serving and utility rooms, 41 persons; 3rd floor, same, 38 persons; 4th floor, same, 39 persons; 5th floor, operating rooms and T. B. wards, 13 persons; 6th floor, private rooms, 16 persons; and

WHEREAS, the applicant contends that the proposed floor heights will be similar to those in the present hospital building with through connections; that each building will be separated with a three-hour protective opening assembly; that the legal height of the new building is 79 ft. 5 in., which is only 4 ft. 5 in. over the permitted height where standpipes and fire towers are required; that a reduction in the height of the building to comply with the Code, so as to omit the required fire tower and standpipe, would necessitate the introduction of ramps on the operating room floor, which is a great inconvenience in the normal functioning of the hospital.

Resolved, that the decision of the borough superintendent on N. B. Application No. 173-40, Objection No. 1 as to fire towers, and Objection No. 4, be and it hereby is *modified* and that the appeal be and hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that such portable fire fighting appliances shall be installed and maintained as the fire commissioner shall direct

65-39-A.

APPLICANT—Abraham Greenberg, for Brook Refrigerating Company, Incorporated, for the D. and H. Holding Corporation and Astern Packing Corporation, owners (City Provision Company, Inc., lessee).

SUBJECT—Application reopened September 24, 1940—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—512-522 East 152nd street, 601, 605 Brook avenue, southwest corner, and 455-456 Westchester avenue, north side, 82 ft. 8½ in. west

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of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham Greenberg.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(65-39-A)

WHEREAS, this appeal from a decision of the fire commissioner, affecting premises 520-522 East 152nd street, 601-605 Brook avenue, southwest corner, 455-459 Westchester avenue, north side, 82 ft. 8½ in. west of Brook avenue (Block No. 2361, Lot Nos. 1 and 5), Borough of The Bronx, was granted by the Board February 15, 1939, on certain conditions; and

WHEREAS, Abraham Greenberg, for Brook Refrigeration Company, Inc., for the D. and H. Holding Corporation and Astern Packing Corporation, owners, requested amendment of the resolution as to the further extension of the refrigerating service; and

WHEREAS, this appeal was reopened by vote of the Board September 24, 1940,

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted February 15, 1939, so that as amended, the resolution shall read:

"Resolved, that the decision of the fire commissioner, dated January 6, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, subject to obtaining of a proper franchise from the Board of Estimate, permitting the extension of the refrigerating system into the buildings as listed in this appeal, *on condition* that the refrigerating lines shall be at a depth of not less than that shown below the street surface of East 152nd street; that the return lines shall be insulated with 2 in. of cork; that the supply line and return line shall be in cast iron pipe with bolted flanges and that in all other respects the general conditions as set forth in resolution as amended October 11, 1938, under Cal. No. 131-34-A and resolution of May 11, 1937, under Cal. No. 292-35-A shall be complied with and that the amount of ammonia for the entire system, as permitted by the Board, shall at no time exceed 3,000 pounds of ammonia.

Resolved further, that the service may be further extended by adding refrigeration line to refrigeration boxes located in basement of premises 512-522 East 152nd street, the first floor of premises 500 to 510 East 152nd street (also known as 610 Bergen avenue) and the second floor of premises 512 to 522 East 152nd street, as shown on diagram marked 'Received September 16, 1940,' on condition that the shut-off valves shall be maintained and all other general conditions shall be maintained as set forth in the resolution adopted by the Board on February 15, 1939."

APPLIANCES SUBMITTED FOR APPROVAL.

99-33-SA.

APPLICANT—William V. McDevit, for Sears, Roebuck and Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Hercules Automatic Oil Burner, Models H, HF and Type H, 1937 Model—approval of improvements to Type H.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and referred to engineer for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

775-39-SA.

APPLICANT—Automatic Gas Steam Radiator Company, owner.

SUBJECT—Pittsburgh Gas Unit Heater, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0.

THE RESOLUTION—

(775-39-SA)

WHEREAS, Automatic Gas Steam Radiator Company, owner, filed on June 6, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Pittsburgh Gas Unit Heater; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 29, 1940.

Re: Cal. No. 775-39-SA.

Subject: Pittsburgh Gas Heater Unit, approval of.

The Automatic Gas Steam Radiator Company, owner, filed on June 6, 1939, an application with the Board of Standards and Appeals for approval of the Pittsburgh Gas Heater, under the provisions of C26-690.0 (11.1.1), Administrative Building Code.

This burner is constructed in sizes for an output of 68,000 BTU per hour, 80,000 BTU per hour, 104,000 BTU per hour and 128,000 BTU per hour. The burner is composed of parts as follows:

Burner: A 13⅝ by 7⅝ in. cast iron burner having 292 ports raised 3/16 in., No. 32 for natural gas, No. 40 for manufactured gas, with 7/8 in. dia. throats in two 5½ in. long injecting tubes. Distance from throat to face 2½ in., ports to nearest metal surface up 4⅞ in., down 4⅜ in., laterally ¾ in.

Heating Element: Consists of 41 tubular elements 15¾ by 1⅜ by ½ in. with the ends flanged into a cast iron header at top and bottom. Tubes are made of 18 gauge aluminum. Air from the fan is properly distributed by three deflectors across rear of tubes.

Combustion Chamber: A 9½ by 14½ in. cast iron combustion chamber 10⅞ in. high insulated on front and sides 6¼ in. down from bottom header with ¼ in. asbestos mill-board and sheet iron. Circulating air is drawn through 15⅜ in. dia. holes at front of jacket bottom, around to back of jacket and discharged through fan.

Jacket: A 33⅞ by 17¼ by 10¾ in. sheet metal jacket with 7 openings 7½ by ½ in. extreme bottom and 6 openings 7½ by ½ in. in pan welded ½ in. above bottom staggered for floor protection. Rear of jacket has a 14 in. dia. air inlet and front is open for air outlet in front of tubes.

Venting: Secondary air enters extreme bottom through 7 openings 7½ by ½ in. and through 6 openings 7½ by ½ in. in pan to contact burner. Products of combustion rise up to header, through 41 tubular elements 15¾ by 1⅜ by ½ in. with a minimum width of

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13/32 in. at top into draft hood on upper header and out the 5 in. dia. outlet.

Accessories: A $\frac{3}{4}$ in. Schoenberger main control valve, a M. H. V-84 $\frac{3}{4}$ in. magnetic valve, a model 550 Baso safety pilot, a Pittsburgh $\frac{3}{4}$ in. No. 099 regulator, a Wagner 1/40 H.P. 1,000 R.P.M. motor, a 14 in. dia. fan with blades at 30 pitch, a Klixon limit control.

The appliance has been approved by the American Gas Association—4,240.9.1001, 4,240.9.201, 4,240.9.301, 4,240.9401. The appliance was inspected and tested at 605 W. 125th St. by an Engineer of the Board, Mr. Leslie V. Huber.

It is recommended that the Pittsburgh Gas Unit Heater in the sizes specified be approved for use in New York City in *other than explosive atmospheres* when installed in accordance with the requirements of the Building Code Art. 12 Sub. Art. 1, and this report, on condition that the appliance shall bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 775-39-SA." The use of this burner is not to be permitted in garages, gasoline stations and paint spraying and paint dipping rooms.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Chief Engineer,
Committee on Tests.

LESLIE V. HUBER,
Commissioner.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Pittsburgh Gas Unit Heater, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL.

708-40-SM.

APPLICANT—United Metal Products Division of Diebold Safe and Lock Co., owner.

SUBJECT—United Metal Products Division of Diebold Safe and Lock Company. One and One-Half Hour Hollow Metal Flush Type HF-2 Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW.

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 4
0

1144-38-SM.

APPLICANT—McNamara Products Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re change of name to "FLAMEX" (previously approved under name of Salenite Flameproofing).

APPEARANCES—

For Applicant: L. J. McNamara.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 4
0

THE RESOLUTION—

(1144-38-SM)

WHEREAS, the Atlantic Salenite Company, agent-part owner for John H. Dirkes and associates, owners, filed December 9, 1938, an application with the Board of Standards and Appeals for approval of the material known as Salenite Flame Proofing; and

WHEREAS, this material was approved by the board March 21, 1939, in accordance with the report of the Committee on Tests; and

WHEREAS, the McNamara Products Company, owner, requested reopening of the application and amendment of the resolution to permit the marketing of this material under the name of "Flamex".

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 31, 1939, by adding thereto:

"That this material may also be marketed under the name "Flamex," on condition that under whichever name marketed the requirements of this resolution shall be complied with; that the rules for testing fire-resisting flameproof materials, as adopted by the Board shall be complied with and that this material shall be resubmitted to the Board for test under such rules."

510-40-SM.

APPLICANT—The Reversible Double Hung Window Corporation, owner.

SUBJECT—Reversible Safe-T-Sash (Double Hung) Window, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 4
0

THE RESOLUTION—

(510-40-SM)

WHEREAS, The Reversible Double Hung Window Corporation, owner, filed on May 13, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Reversible Safe-T-Sash (Double Hung) Window; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 28, 1940.

Re: Cal. No. 510-40-SM.

Subject: Approval of Reversible Safe-T-Sash (Double Hung) Window.

The Reversible Double Hung Window Corporation filed May 13, 1940, an application with the Board of Standards and Appeals for approval of the Reversible Safe-T-Sash (Double-Hung) Window under the provisions of C26-191.0 (2.2.3), C26-261.0 (5.1.4.1) and C26-262.0 (5.1.5).

This window is constructed of two double hung wood sashes (upper and lower) of 36 in. by 36 in. window opening sizes, with each sash provided with a 180 ft. reversible sash which is pivoted or hinged so as to rotate in a vertical plane on a vertical axis, the intention being to permit the window to be cleaned or repaired entirely from the inside of the building. A spring actuated lock secures the sash in a horizontal plane.

The weights used for a 36 in. by 36 in. sash are 9½

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lbs., one on each side of sash, with correspondingly proportional weights for the smaller sizes of sash.

It is recommended that the Reversible Safe-T-Sash 36 in. by 36 in. maximum size (Double Hung) Window be approved for use in Class 3 and Class 4 construction, when constructed in accordance with the requirements of Section C26-261.0 (5.1.4.1) C26-262.0 (5.1.5) and when used in conformance with all other requirements of the Administrative Code, but not to be used in openings required to have a fire-resistive rating.

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Reversible Safe-T-Sash (Double Hung) Window, on condition that the material manufactured, installed, labelled, stamped or tagged in accordance with above report.

4-40-SM.

APPLICANT—George E. Strehan, for Jamestown Metal Corporation, owner.

SUBJECT—Jamestown Three Hour Hollow Metal Fire Door, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

964-40-SM)

WHEREAS, George E. Strehan, for Jamestown Metal Corporation, owner, filed on October 2, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Jamestown Three Hour Hollow Metal Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 19, 1940.

George E. Strehan, in behalf of the Jamestown Metal Corporation of Jamestown, New York, filed an application on October 2, 1940, for approval of the Jamestown Three-Hour Hollow Metal Fire Door, under the provisions of C-26-660.0 (10.8.1), C26-661.0 (10.8.2), C26-662.0 (10.8.3), C26-663.0 (10.8.4.2), Administrative Building Code, and as a one-hour fireproof door under the Multiple Dwelling Law, the approval to be based on tests as provided in Article II, sub-article 1, Administrative Building Code, with results of test to be evaluated in accordance with the provisions of C-26-610.0 (10.1.18), Administrative Building Code.

Test Door Specifications.

The door is a semi-flush type (Fig. 1), constructed with $\frac{5}{8}$ in. recessed panel on the unexposed side and flush on the fire side, with 5 in. stiles and top rail and $9\frac{3}{4}$ in. bottom rail, $1\frac{3}{8}$ in. thick by 6 ft. $11\frac{5}{8}$ in. in height and 3 ft. $5\frac{13}{16}$ in. in width. The door frame is a combination steel buck of No. 14 U. S. gauge, with

jamb dimensions of 3 ft. 6 in. by 7 ft. 0 in. and the following clearances: Top, $\frac{1}{8}$ in.; bottom, $\frac{1}{4}$ in.; lock jamb, $\frac{1}{8}$ in.; hinge jamb, $\frac{1}{16}$ in., and the door was hung in the furnace with such clearances. The buck is provided with not less than three corrugated strip anchors of the same gauge as the jamb portions on the hinge and lock jambs, 3 in. wide and 8 in. long, spot welded to a No. 12 gauge cross piece tightly fitting into the space back of jamb.

The stiles and rails are formed of No. 18 U. S. gauge steel formed in a tube shape, with welded tenon ends projecting into and locking panel moulding in place. Stiles extend from top to bottom of door. The top rail is formed of two pieces, spot-welded on the flush side and reinforced at the end with a No. 14 gauge closure channel. The bottom rail is similarly formed with an additional transverse bracing channel of No. 20 gauge. The flush side of panel is formed of No. 18 gauge patent leveled cold-rolled sheet steel, attached to the stiles with arc welds spaced 2 in. on centers and intermediate spot welds spaced 6 in. on centers, and to top and bottom closure channels on rails with spot welds spaced 3 in. on centers. The recessed side of panel is formed of No. 18 gauge patent levelled cold-rolled sheet engaging recess in the moulding. For doors less than three hours, applicant requests that the panel plates be reduced from 18 to 20 gauge.

The panel insulation consists of four sheets of $\frac{3}{32}$ in. asbestos. To build out the total thickness of panel to approximately $\frac{13}{16}$ in., shims of asbestos are used to block against the panel cover. The stiles and rails are filled with mineral wool batts to a density of six pounds per cubic foot.

To provide proper ventilation the top and bottom closure channels and diaphragm separators are pierced with $\frac{5}{16}$ in. holes spaced not more than 4 in. on centers. The recess of panel moulding is ventilated with $\frac{5}{16}$ in. holes spaced 4 in. on centers on all sides of panel.

The test door was hung on $1\frac{1}{2}$ pair of removable pin steel butts similar to Stanley No. 179 $4\frac{1}{2}$ by 4 in., morticed into stile and provided with $\frac{5}{32}$ in. steel reinforcement, 10 in. long and secured with at least three spot welds above and below the hinge. A $\frac{3}{4}$ in. throw Sargent latch set No. 4651 is provided with a No. 16 gauge box housing or a No. 12 gauge channel at least 16 in. long with asbestos packing. At least 8 spot welds are provided on each side of stile. The check reinforcement is a minimum of No. 12 gauge steel channel, 14 in. long and spot welded to both sides of the top rail. The reinforcement for the floor and top hinge is a minimum of $\frac{3}{16}$ in. thick strip extending two-thirds of the width of the door and is welded to the closure channels. All cutouts for hardware, drilling and tapping for screws are fabricated by template at the factory.

TEST.

The test furnace is a fire brick structure approximately 10 ft. 0 in. wide, 12 ft. 0 in. high and 2 ft. 0 in. deep, with a swinging door having a rough opening 62 by 93 in. in which the test sample was set. In front of the furnace is a vestibule about 8 ft. 0 in. by 8 ft. 0 in. by 8 ft. 0 in. which provides facilities for observation of smoke and flame passage as well as temperature rise. This vestibule was constructed to simulate the conditions of entrance or corridor halls in multiple dwellings in which one hour fire doors are required.

Gas is supplied to the heating burners through a manifold at the back of the furnace with suitable controls for regulating the temperatures in the combustion chamber. A sufficient number of chromel-alumel thermocouples is provided for the determination of furnace temperatures and temperatures on the unexposed face of the test sample. Six ports in the sides of the furnace

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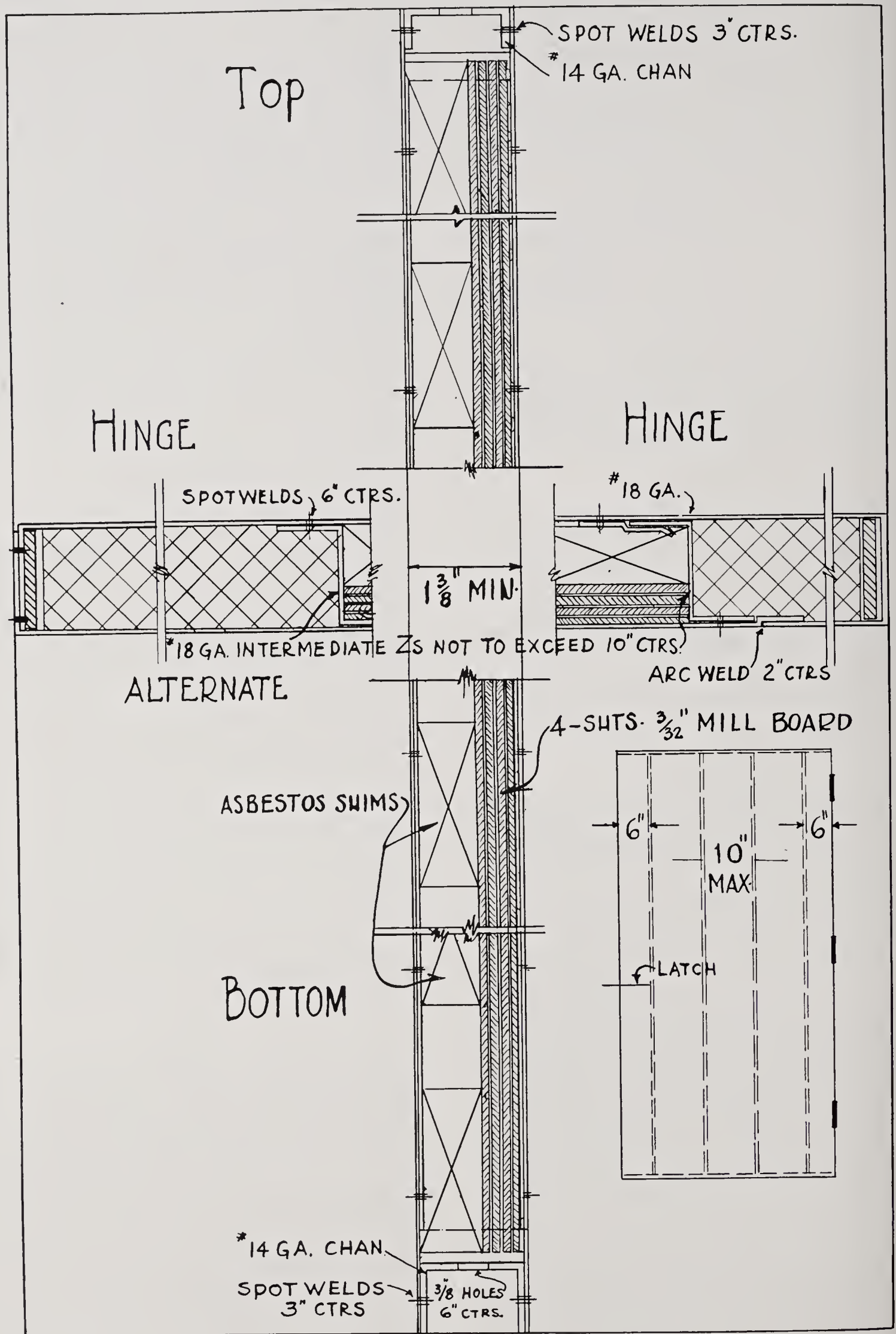


Figure 1

MINUTES

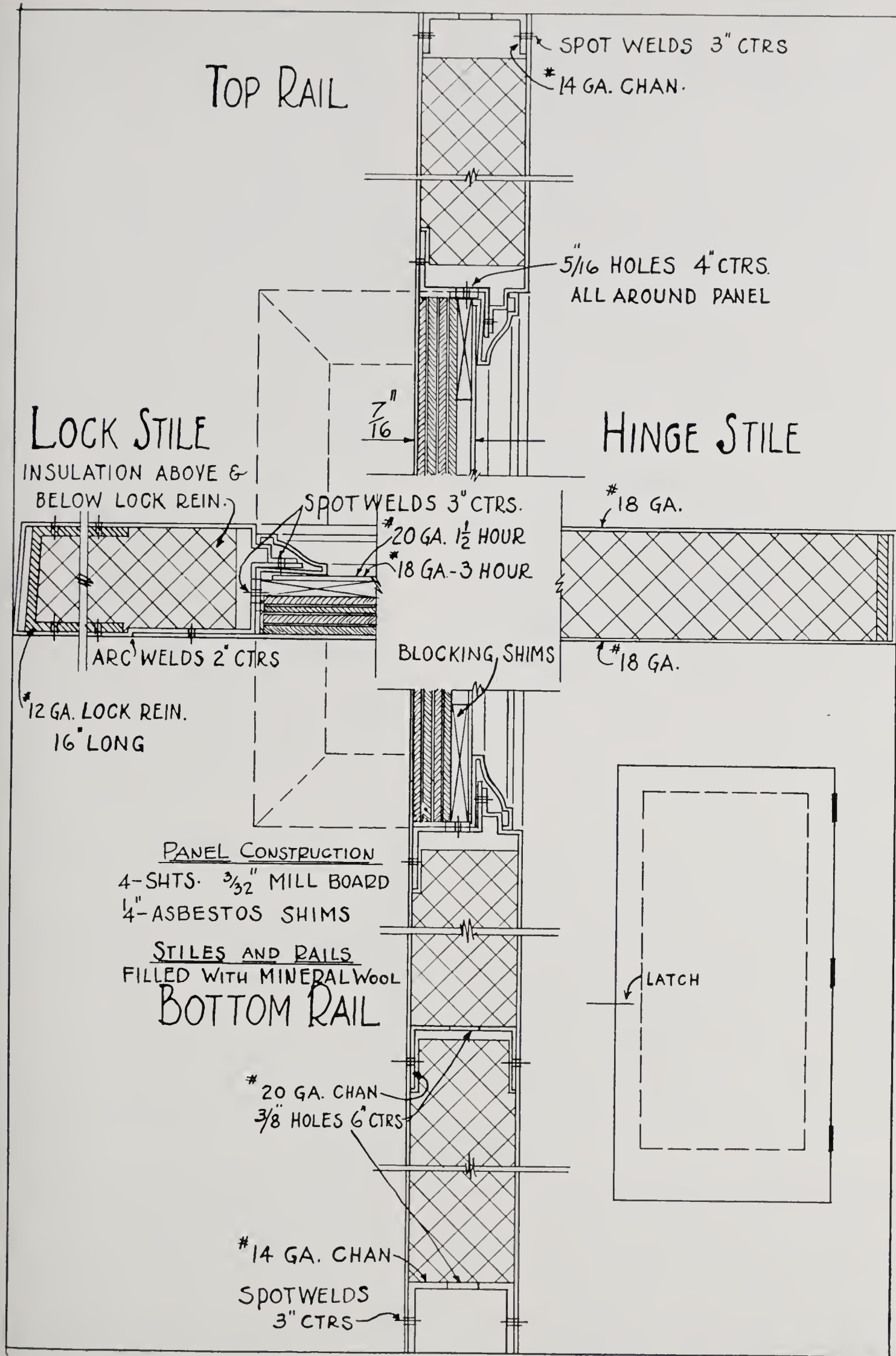


Figure 2

MINUTES

facilitate observations within the furnace on the exposed face of the test sample.

An enclosed thermocouple is suspended within the vestibule at a height of 5 ft. 6 in. from the floor and 2 ft. 0 in. from the unexposed center face of the sample. This couple is connected to a recording instrument which provides an automatic record of the temperatures within the vestibule.

Air changes within the vestibule are secured by means of an exhaust blower mounted on the wall of the vestibule to give 10 air changes per hour. An apparatus is also provided for observing draft conditions within the furnace itself, and these conditions are subject to regulations by the adjustable damper mounted in the flue which disposes of the spent gases. This apparatus consists of a small open flame kerosene lamp placed at the outer end of a $\frac{3}{4}$ in. pipe passing through the furnace door at a point 10 in. to the right of the middle of the hinge side of the door. The direction of air flow between the furnace chamber and the vestibule can thus be observed at all times.

The temperatures within the furnace were raised in accordance with the standard time-temperature curve prescribed in Section C26-579.0 (10.1.5.1) of the Administrative Building Code, and readings were taken from the ten 14 gauge chromel-alumel couples within the furnace at intervals of five minutes.

The temperatures of the unexposed face of the sample were observed by means of three couples located at the center of the panel and at the centers of the top and bottom halves of the panel. The log and graph show also the temperatures observed at these points. The test on this assembly was witnessed by a Committee of the Board consisting of Commissioner Bernard A. Savage and Mr. John F. Fitzsimons on October 11, 1940.

At the termination of the three hour fire test the furnace door was swung open and the exposed face of the test sample was subjected to a standard hosestream test. The hosestream was delivered at a distance of 20 feet and with a nozzle pressure of 30 pounds per square inch. The nozzle was a standard smooth bore nozzle having a $1\frac{1}{8}$ in. diameter orifice, and it was connected to a line of $2\frac{1}{2}$ standard fire hose attached to municipal fire hydrants.

Results of the Test.

The test door developed the usual bulging, buckling and warping in negligible amounts with no detrimental effects on the structural stability of the door throughout the fire endurance and hosestream test periods. The temperature rise of the unexposed side of the door at the end of the first 45 minutes was 567 deg. F., well within the permissive temperature rise limitations of C26-610.0 (10.1.18), Administrative Building Code. There was no passage of flame or smoke in any consequential volume.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Jamestown Three-Hour Hollow Metal Fire Door, $1\frac{3}{8}$ in. thickness (Fig.

1), when constructed and hung, and of the size as provided for herein under C26-610.0 (10.1.18), Administrative Building Code, for use as an opening protective assembly in fire walls (3 hours), under C26-660.0 (10.8.1) as an opening protective assembly in fire partitions (1½ hours), under C26-661.0 (10.8.2) as an opening protective assembly in fireproof partitions (¾ hour) under C26-662.0 (10.8.3); and as an opening protective assembly in a fireproof partition under the Multiple Dwelling Law, which requires an assembly to have a fire resistive rating of one hour.

In consideration of the results of this test, the Committee also recommends the approval of a similar door when constructed of a thickness of $1\frac{3}{4}$ in. provided that in all other respects, the construction, hardware and size are as provided for in Fig. 1, and that the rails and stiles are completely filled with mineral wool packed to a density of 6 lb./cu. ft. or a rigid mineral wool board of equivalent density. The Committee further recommends the approval of the alternate form of construction as shown in Fig. II, of a flush type of door in thicknesses of $1\frac{3}{8}$ in. or $1\frac{3}{4}$ in., when constructed with the same asbestos insulation as the test door with intervening spaces filled with cellular asbestos or secured shims.

When doors are constructed for an opening required to have a fire resistive rating of less than 3 hours, panel plates may be reduced from 18 gauge to 20 gauge.

All doors shall be of sizes as provided for herein except for increase of size as permitted in C26-610.0 (10.1.18) and in every case for use as a swinging door in a single opening.

The Committee recommends that the request for approval based on these tests of a full panel type door be temporarily held in abeyance, pending further investigation.

It is further recommended that all opening protective assemblies manufactured, inspected and labelled under this approval shall comply with the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,

Commissioner

CHARLES M. BLUM,

Commissioner

LESLIE V. HUBER,

Chief Engineer

Committee on Tests

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals do hereby approve the material known as the Jamestown Three-Hour Hollow Metal Fire Door, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

Adjourned, 5:10 P. M.

JOSEPH J. DOYLE, Chief Clerk

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES ON USES OF INSULATING FIRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE,
IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY
CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of City of New York, and C-26-189.0 Administrative Code (2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-550.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6), C-26-619.0, Administrative Code (10.3.1), and C-26-620.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscel- laneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, pounds lengthwise (note 2)	14	14	7
Minimum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10

Maximum linear expansion, per cent	$\frac{1}{2}$	$\frac{1}{2}$	—
Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

- 2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with $1\frac{1}{8}$ " No. 13 gauge blued or galvanized plaster board nails, with $\frac{3}{8}$ " heads for $\frac{1}{2}$ " board and $1\frac{3}{4}$ " nails with $\frac{3}{8}$ " heads for $\frac{3}{4}$ " or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

- 2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than $\frac{2}{3}$ by weight of sand and $\frac{1}{3}$ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than $1\frac{1}{2}$ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than $\frac{1}{4}$ " thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than $\frac{3}{4}$ by weight of sand and the remaining $\frac{1}{4}$

RULES

shall not contain less than $\frac{3}{5}$ of calcined gypsum and not more than $\frac{2}{5}$ of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than $\frac{3}{16}$ " in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than $\frac{1}{16}$ " thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of $\frac{1}{2}$ " plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with $1\frac{1}{2}$ " wire nails, 6" or less c-c, with $\frac{3}{8}$ " head, and for $\frac{3}{4}$ " or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE
Untreated combustible insulation board of a single layer or thickness not to exceed $\frac{1}{2}$ " when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0 sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS.
(Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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DOCKET.

New Cases Filed up to November 5, 1940.

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1041-40-SM.....	Olsen Gypsum Lath Spring Wire Clips, PS and Corner Clips (Lathing Accessories), manufactured by Olsen Products, Incorporated,	Material.	
1042-40-SA.....	Duo-Therm Circulating Heaters, Models 902 and 952,	Appliance.	
1043-40-SA.....	Duo-Therm Water Heater, Model 16,	Appliance.	
1044-40-SA.....	Duo-Therm Oil Burning Furnace, Models 750 and 850,	Appliance.	
1045-40-A.....	H.B.M....358-372 West 31st street and 362-370 Ninth avenue, southeast corner (Block No. 754, Lot No. 78), Borough of Manhattan,	Decision—re Viol. 5121-40.	
1046-40-BZ....	H.B.B....966-972 Fulton street, south side, 79 ft. west of Grand avenue (Block No. 2014, Lot Nos. 26 and 27), Borough of Brooklyn,	Curb Cut Applic. 1718-40.	
1047-40-A.....	F.D.....52-54 Sands street, northeast corner of Adams street (Block No. 86, Lot Nos. 7 and 8), Borough of Brooklyn,	4749-L.F. and Decision.	
1048-40-A.....	H.B.M....1317-1329 Broadway, west side, from West 34th street to West 35th street, 149-167 West 34th street, 148-164 West 35th street and 441-459 Seventh avenue (Block No. 810, Lot Nos. 1-12-50), Borough of Manhattan,	Alt. 3227-40.	
1049-40-SM.....	Frankel Suspending Devices for a Life Saving Rope and Belt for Scaffold Use, manufactured by Jacob Frankel,	Material.	
1050-40-BZ....	H.B.Bx....2125 Jerome avenue, west side, 70.65 ft. south of West 181st street (Block No. 3192, Lot		
1051-40-A.....	H.B.Bx....	South side of Metcalf avenue, 1,350 ft. south of Randall avenue and 935 ft. southeast of Noble avenue (Block No. 3488, Lot No. 1), Soundview Park, Borough of The Bronx,	N.B. 785-40.
1052-40-A.....	H.B.B.....	77-85 Albany avenue, southeast corner of Herkimer street, and 1519-1535 Atlantic avenue (Block No. 1705, Lot No. 1), Borough of Brooklyn,	Alt. 3871-40.
1053-40-A.....	F.D.....	415-421 West 51st street, north side, 199 ft. west of Ninth avenue (Block No. 1061, Lot No. 23), Borough of Manhattan,	20543-L.C. and Decision.
1054-40-A.....	H.B.Q.....	62-93 60th place, northeast corner of Bleecker street (Block No. 3519, Lot Nos. 1 and 5), Ridgewood, Borough of Queens,	Decision—re N.B. 4123-40.
1055-40-SA.....		Mohawk Non-Coded Closed Circuit Interior Fire Alarm Control Panel,	Appliance.
1056-40-BZ....	H.B.M....	161-163 East 36th street, north side, 80 ft. west of Third avenue (Block No. 892, Lot Nos. 37 and 38), Borough of Manhattan,	Alt. 791-40.
1057-40-SA.....		National Oil Burner, Series O,	Appliance.
1058-40-A.....	H.B.Q.....	114-54 Merrick boulevard, west side, 83 ft. north of 115th avenue (Block No. 3087, Lot No. 323), St. Albans, Borough of Queens,	Misc. Applic. 8661-40.
1059-40-A.....	H.B.Q.....	80-04, 80-08 and 80-12 193rd street, northwest corner of Union Turnpike and west side of 193rd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot	

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Decision—re Certificate of Occupancy.

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No. 1), Flushing, Borough of Queens,
N.B. 6840-40, N.B. 6845-40
and N.B. 6846-40.

No. 7935, part of Lot No. 1),
Creedmore, Borough of Queens,
N.B. 526-40.

1060-40-A.....H.B.Q.....80-03, 80-07 and 80-11 192nd street, northeast corner of Union Turnpike and east side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens, N.B. 6842-40 to N.B. 6844-40, inclusive.

1061-40-BZ....H.B.Q.....80-04, 80-08 and 80-12 192nd street, northwest corner of Union Turnpike and west side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7272, Lot No. 1), Flushing, Borough of Queens, N.B. 6841-40, N.B. 6847-40 and N.B. 6848-40.

1062-40-A.....H.B.B.....259 Court street, east side, 23 ft. 5 in. north of Butler street (Block No. 402, Lot No. 2), Borough of Brooklyn,
Decision—re Certificate of Occupancy No. 90832 and Alt. 8270-36.

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984-40-A.....H.B.M....135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan, Misc. Applic. 658-40.

472-37-BZ....H.B.B.....2761-2773 Cropsey avenue, north side, 6 ft. 9 7/8 in. west of 28th avenue (Block No. 6915, Lot No. 51), Borough of Brooklyn, N.B. 1874-40.

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230-40-BZ....H.B.Q.....234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISION.

Film Centre Building Corporation vs. Board of Standards and Appeals—On March 19, 1940, Board granted a variance, under section 21, Cal. No. 1307-39-BZ, at premises 332-346 West 44th street, Borough of Manhattan, to permit replacement of existing business building by erection and maintenance of a film exchange building, and omission of rear yard, in residence district, where there are many existing business uses already established. Objectors took certiorari. Mr. Justice Collins sustained the Board's decision, stating in part—"It has not been shown that the Board abused its powers. . . . Rather, it would seem that the Board's quasi-judicial discretion was wisely and fairly exercised. . . . That the applicant suffered hardship, which the Board justly relieved, is amply sustained by the evidence." (N.Y.L.J., October 29, 1940.)

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CALENDAR

NOVEMBER 13, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 13, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 443-40-BZ—Application, April 26, 1940, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Depreciation Fund Board, owner, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

CAL. NO. 968-24-BZ—Application of Arnold W. Lederer, applicant, on behalf of Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn, reopened September 17, 1940, for consideration—re amendment of resolution—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above; premises 1922-1932 Kings highway (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn.

CAL. NO. 1182-39-BZ—Application, September 26, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Post Sherman Corporation, owner (Abraham Rubenstein, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

CAL. NO. 1493-39-BZ—Application, December 12, 1939, under sections 7h and 21 of the building zone resolution, of Valentine Bangert, applicant and lessee, on behalf of Henry W.

S. Bangert, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 [892], Lot Nos. 38 and 41), Jamaica, Borough of Queens.

CAL. NO. 486-40-BZ—Application, May 7, 1940, under section 21 of the building zone resolution, of S. Walter Katz, applicant, on behalf of West 17th Street Realty Corporation, owner, to permit in a residence use district the maintenance of a motor vehicle repair shop; premises 254-256 West 17th street, south side, 152 ft. east of Eighth avenue (Block No. 766, Lot No. 75), Borough of Manhattan.

CAL. NO. 568-40-BZ—Application, May 25, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of 260 West 125th Street, Incorporated, owner, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 259-261 West 124th street, north side, 200 ft. east of Eighth avenue (Block No. 1930, part of Lot No. 55), Borough of Manhattan.

CAL. NO. 224-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Hanover Service Station, Incorporated, owner, reopened September 17, 1940, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 470-40-BZ—Application, May 3, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of William Cohn, owner (Jacob Newmark, lessee), to permit, partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West

CALENDAR

172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

CAL. NO. 1289-39-BZ—Application, October 17, 1939, under sections 21 and 7h of the building zone resolution, of Charles Gomes, applicant and lessee, on behalf of Port of New York Authority, owner, to permit in a retail use district the use of premises for parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps on an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 879-38-BZ—Application, October 3, 1938; dismissed for lack of prosecution June 27, 1939; reopened and restored to Calendar October 29, 1940, under sections 7h and 21 of the building zone resolution, of Louis Marabini, applicant, on behalf of Columbia University, Presbyterian Church, New York Public Library and Metropolitan Museum of Art, owners, to permit in a business use district the maintenance of the parking and storage of more than five (5) motor vehicles on a plot occupied, in part, by a building used for body and fender repairs and brake and ignition service; premises 31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7c

and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

CAL. NO. 544-40-BZ—Application, May 20, 1940, under sections 21 and 7c of the building zone resolution, of Morris Perlstein, applicant, on behalf of Coney Island Soda Water Corporation, owner, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

Appeals from Administrative Decisions.

623-40-A—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1940, 2 P. M.

Appeals from Administrative Decisions.

831-40-A—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

994-40-A—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn.

1010-40-A—80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens.

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1009-40-A—13 Commerce street, north side, 40 ft. 9 $\frac{5}{8}$ in. west of Seventh avenue (Block No. 587, Lot No. 64), Borough of Manhattan.

1048-40-A—1317-1329 Broadway, west side, from West 34th street to West 35th street, 149-167 West 34th street, 148-164 West 35th street and 441-459 Seventh avenue (Block No. 810, Lot Nos. 1-12-50), Borough of Manhattan.

1052-40-A—77-85 Albany avenue, southeast corner of Herkimer street, and 1519-1535 Atlantic avenue (Block No. 1705, Lot No. 1), Borough of Brooklyn.

1072-40-A—622-624 Broadway, east side, 141.59 ft. north of East Houston street (Block No. 522, Lot No. 5), Borough of Manhattan.

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jerome Avenue Corporation, owner, reopened October 8, 1940, for consideration as to extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-

1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 843-40-BZ—Application, August 6, 1940, under section 7c of the building zone resolution, of Daer Properties, Incorporated, applicant and owner, to permit in a residence use district, extending from a business use district, the alteration of an existing multiple dwelling with stores on the first story, so as to provide additional store use in the residence use district; premises 147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company, owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of

CALENDAR

Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

1004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

1003-40-A—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation, owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

974-40-A—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

862-40-A—East side of Smith street, from Halleck to Sigourney streets (Block No. 493, Lot No. 1), Borough of Brooklyn.

858-40-A—321-331 East 70th street, north side, 175 ft. west of First avenue (Block No. 1445, Lot Nos. 14 to 19, inclusive), Borough of Manhattan.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and

876-40-A—5073-5075 Broadway, west side, 238.64 ft. south of West 218th street (Block No. 2243, Lot No. 266), Borough of Manhattan.

886-40-A—1768-1782 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30, inclusive), Borough of Brooklyn.

966-40-A—3 Vestry street, south side, 20 ft. west of Varick street (Block No. 220, Lot No. 21), Borough of Manhattan.

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- 970-40-A—215 Ryerson street, east side, 425 ft. north of DeKalb avenue (Block No. 1920, Lot No. 16), Borough of Brooklyn.
- 992-40-A—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.
- 1067-40-A—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.
- 883-40-A—827 Sixth avenue, west side, 38.8 ft. south of West 29th street (Block No. 804, Lot No. 40), Borough of Manhattan.
- 884-40-A—136-138 West 24th street, south side, 298 ft. east of Seventh avenue (Block No. 799, Lot No. 60), Borough of Manhattan.
- 889-40-A—22-24 Jones street, south side, 140 ft. east of Bleecker street (Block No. 590, Lot No. 16), Borough of Manhattan.
- 911-40-A—5312-5316 Fifth avenue, north side, 50 ft. 2 in. east of 54th street (Block No. 815, Lot Nos. 42, 43 and 44), Borough of Brooklyn.
- 912-40-A—1281 Broadway, north side, 229 ft. 3 in. west of Grove street (Block No. 3293, Lot No. 25), Borough of Brooklyn.
- 913-40-A—7408-7410 Fifth avenue, west side, 67 ft. 13/4 in. south of 74th street (Block No. 5930, Lot No. 40), Borough of Brooklyn.
- 924-40-A—416-418 Knickerbocker avenue, west side, 50 ft. south of Himrod street, and 222 Himrod street (Block No. 3278, Lot No. 28), Borough of Brooklyn.
- 936-40-A—31 West 71st street, north side, 220 ft. west of Columbus avenue and Central Park West (Block No. 1124, Lot No. 18), Borough of Manhattan.
- 955-40-A—1026 41st avenue, south side, 250 ft. west of East 12th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.
- 957-40-A—32 Laight street, north side, 120 ft. west of Varick street (Block No. 220, Lot No. 42), Borough of Manhattan.
- 979-40-A—365 Broadway, northwest corner of Franklin street (Block No. 175, Lot No. 33), Borough of Manhattan.
- 1047-40-A—52-54 Sands street, northeast corner of Adams street (Block No. 86, Lot Nos. 7 and 8), Borough of Brooklyn.
- 1068-40-A—118 Nassau street, east side, 116.9 ft. north of Ann street (Block No. 92, Lot No. 26), Borough of Manhattan.
- 1066-40-A—9901 Shore road, southeast corner of 99th street (Block No. 6133, Lot Nos. 11 and 13), Borough of Brooklyn.
- 1033-40-A—171-04 to 171-44 Pidgeon Meadow road, south side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.
- 1034-40-A—49-06 Fresh Meadow lane, west side, between Auburndale avenue and Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.
- 1035-40-A—48-11 and 48-15 171st street, east side, 103.99 ft. south of Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.
- 1036-40-A—48-12 171st street, west side, 93.59 ft. south of Pidgeon Meadow road (Block No. 5375, Lot No. 48), Flushing, Borough of Queens.
- 1037-40-A—170-28 to 170-44 Pidgeon Meadow road, southwest corner of 171st street and south side of Pidgeon Meadow road, 31 ft., 69.5 ft. and 108 ft. west of 171st street (Block No. 5575, Lot No. 48), Flushing, Borough of Queens.
- 1038-40-A—170-04 to 170-20 Pidgeon Meadow road, southeast corner of 170th place and south side of Pidgeon Meadow road, 40 ft., 80 ft. and 120 ft. west of 170th place (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.
- 1039-40-A—48-11 170th street, south side, 88.38 ft. west of Pidgeon Meadow road (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.
- 1059-40-A—80-04, 80-08 and 80-12 193rd street, northeast corner of Union Turnpike and west side of 193rd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.
- 1060-40-A—80-03, 80-07 and 80-11 192nd street, northeast corner of Union Turnpike and east side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.
- 1061-40-A—80-04, 80-08 and 80-12 192nd street, northwest corner of Union Turnpike and west side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7272, Lot No. 1), Flushing, Borough of Queens.
- 670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

CALENDAR

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 19, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 26, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 424-17-BZ—Application of John T. Dooling, applicant and owner (Fordham Motor Sales, Incorporated, lessee), reopened September 12, 1939, under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a motor vehicle repair shop; premises 565 East Fordham road and 2545 Hoffman street, northwest corner (Block No. 3273, Lot No. 293), Borough of The Bronx.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, reopened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

CAL. NO. 690-40-BZ—Application, June 25, 1940, under section 7h of the building zone resolution, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Incorporated, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-06

Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 416-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of William Sambur, applicant, on behalf of Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

CAL. NO. 1321-39-BZ—Application, October 26, 1939, under sections 7h and 21 of the building zone resolution, of Anna Weschler, applicant and lessee, on behalf of Bernard Flood, owner, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuhs Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1150, Lot No. 1), Borough of Manhattan.

CAL. NO. 695-40-BZ—Application, June 24, 1940, under section 21 of the building zone resolution, of Abraham Green, applicant, on behalf of Manhattan Storage and Warehouse Company, owner, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles; premises 148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 10, 1940, 2 P. M.

Appeal from Administrative Decision.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

WEDNESDAY MORNING, NOVEMBER 6, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, October 22, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, October 22, 1940, were approved as printed in Bulletin No. 44, Volume 25.

BUILDING ZONE CASES.

489-38-BZ.

APPLICANT—Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application reopened October 3, 1940, under section 21 of the building zone resolution (re decision of the borough superintendent of buildings), to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board).

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Cornelius G. De Loca.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., pending action by the Board on property across the street (375-40-BZ).

375-40-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for Walter A. Beudel, owner (Beudel Brothers, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence use district the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher and Lauritz Lauritzen.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., for applicant to file revised plans, according to Board's suggestions, within ten days.

398-40-BZ.

APPLICANT—Anthony M. DeRose, for Nuarb Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths.

PREMISES AFFECTED—940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., to permit applicant to notify affected property owners.

399-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted.

PREMISES AFFECTED—942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., to permit applicant to notify affected property owners.

400-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width.

PREMISES AFFECTED—944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., to permit applicant to notify affected property owners.

401-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required.

PREMISES AFFECTED—946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., to permit applicant to notify affected property owners.

925-40-BZ.

APPLICANT—I. L. Crausman, for Gelson Realty Corporation, owner.

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SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district.

PREMISES AFFECTED—4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

APPEARANCES—
For Applicant: Samuel Ansel, I. L. Crausman and Joseph Geltman.

For Opposition: Samuel Alexander, Nathan Greenberg, John R. Jones and Paul F. Shontal.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., for further consideration by the Board and additional information from applicant.

494-40-BZ.

APPLICANT—John F. Meehan, for Johanna C. Funke, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2084 Bronx street and 1038 East 180th street, southeast corner (Block No. 3141, Lot No. 30), Borough of The Bronx.

APPEARANCES—
For Applicant: John F. Meehan and Edward J. Jande.

For Opposition: Harold Klorfein, Department of Parks, Earl I. Gallant, Henry D. Becker and Edward L. Richards.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

372-29-BZ.

APPLICANT—John F. Meehan, for Dollar Savings Bank of the City of New York, owner.

SUBJECT—Application reopened April 9, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit the further extension into a residence use district of a business building (stores) previously granted by the Board.

PREMISES AFFECTED—2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx.

APPEARANCES—
For Applicant: John F. Meehan and Edward J. Jande.

For Opposition: Harold Klorfein, Department of Parks, and John A. Bag.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—
(372-29-BZ)

WHEREAS, this application, to permit in a residence use district, under section 21 of the building zone resolution, the erection and maintenance of a business building, premises

2330 Grand Concourse, east side, 150 ft. south of Field place, and 2329 Ryer avenue (Block No. 3159, Lot No. 12), Borough of The Bronx, was granted by the Board December 10, 1929, on certain conditions; and

WHEREAS, John F. Meehan, for Dollar Savings Bank of the City of New York, owner, filed June 10, 1940, an application, under section 21 of the building zone resolution, to permit in a residence use district the further extension of said business building; and

WHEREAS, this application was reopened by vote of the Board April 9, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse, East 183rd street and East 184th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 366-40, dated August 8, 1940, reads:

"1. The erection of a business building in a residence district by extending existing building, which was erected in part according to Resolution 372-29-BZ of the Board of Standards and Appeals, is contrary to Sections 3 and 22-A of the Building Zone Resolution.

2. File complete plans and sections for examination."

and

WHEREAS, the premises consist of a plot fronting 25 ft. on Grand Concourse and 25.17 ft. on Ryer avenue, with a depth of 110.6 ft., upon which there exists a one-story business building on the Grand Concourse front of the plot, with a depth of 80 ft., and, also, a one-story brick garage, 25.17 ft. front, with a depth of 21 ft. from Ryer avenue; it is proposed to erect a one-story brick extension at the rear of the existing business building located on the Grand Concourse frontage so as to extend such business building through to the Ryer avenue building line; the proposed extension will be one story (17 ft.) in height and 25 ft. 3 in. along Ryer avenue, with a depth of 30 ft. 8 in.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of December 10, 1929, as amended by resolution adopted on January 20, 1931, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, only so far as it affects the first story of these premises, on condition that the remainder of any building erected in excess of one story in height shall be restricted above that height to conforming residential use; that the business use portion of premises shall be restricted to retail mercantile stores; that there shall be no commercial display on the Ryer avenue front; that there shall be no openings in the Ryer avenue side other than one door opening not exceeding 3 ft. 6 in. over all; that any windows incorporated on the Ryer avenue front shall be restricted to transom windows, the sills of which shall be not less than 6 ft. 6 in. above grade; that there shall be no advertising of any nature or description exposed or displayed on the Ryer avenue front; that any advertising displayed on the Grand Concourse front shall be restricted to letters affixed to the plate glass show windows of the store fronts or to the frieze of the show window construction; that there shall be no motor vehicles under live storage maintained on the premises; that there shall be no roof signs erected or maintained on these premises; that there shall be no merchandise of any nature displayed outside the building line.

Resolved further, that the proposed building may be

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extended to Ryer avenue, as hereinbefore permitted but which was not constructed, provided the proposed extension shall be substantially in accordance with the revised plans marked 'Received June 10, 1940'; that in all other respects the resolution as adopted by the Board on December 10, 1929, shall be complied with; that these premises shall not be used for the sale of delicatessen food or fish or for a bake shop having ovens on the premises, or for an undertaking business or any other use deemed objectionable by the borough superintendent of buildings; that no signs shall be erected on the Ryer avenue front; that no roof signs shall be erected and the signs on the Grand Concourse front shall be restricted to the plate glass of door and show windows and to the space above the show window and below the parapet; that the rear exit door shown to Ryer avenue shall be used solely for exit purposes; that the entire premises shall be used solely by one tenant; that all permits required shall be obtained and all construction completed within six (6) months from the date of this amended resolution."

342-40-BZ.

APPLICANT—Emil Levin, for Salvin Realty Company, Incorporated, and Emile E. Rathgeber, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business and residence use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-18 43rd street, west side, 157.5 ft. south of 31st avenue (Block No. 692, Lot Nos. 36, 37 and 51), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Emil Levin.

For Opposition: M. Feuer, A. G. Schraide, M. Miller, I. Specker, L. Dreisen, T. Erath, E. Smith, R. Papes, J. Carroll and P. Miller.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(342-40-BZ)

WHEREAS, Emil Levin, for Salvin Realty Company, Incorporated, and Emile E. Rathgeber, owners, filed April 4, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business and residence use district the parking and storage of more than five (5) motor vehicles; premises 31-15 42nd street, east side, 97.5 ft. south of 31st avenue, and 31-18 43rd street, west side, 157.5 ft. south of 31st avenue (Block No. 692, Lot Nos. 36, 37 and 51), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st avenue is in a business use district; 42nd street is in a residence and business use district; 43rd street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated October 11, 1940, reads:

"1. The use of these premises for the parking and storage of more than five motor vehicles in a residence district and extending into a business district is contrary to Art. 2, Sec. 3 and 4 'a', subdivision 15 of the Building Zone Resolution. Not further considered."

and

WHEREAS, the premises consist of a plot fronting 20 ft.

on 43rd street, 80 ft. on 42nd street, with a depth of 200 ft., which it is proposed to use for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship; and

WHEREAS, the Board deemed, further, that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

860-40-BZ.

APPLICANT—Edgar J. Moeller, for Fairtown Construction Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7f of the building zone resolution, to permit in a business use, D and E area district the erection and maintenance of a business building covering a greater area of that portion of the plot within the E area district than permitted, to permit the omission of the required setback within the E area district and to use a portion of the building (cellar) as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Edgar J. Moeller, Alvin B. Wolo-soff and William Wright.

For Opposition: Lester L. Weil.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(860-40-BZ)

WHEREAS, Edgar J. Moeller, for Fairtown Construction Corporation, owner, filed August 16, 1940, an application under sections 21 and 7f of the building zone resolution, to permit in a business use, D and E area district the erection and maintenance of a business building covering a greater area of that portion of the plot within the E area district than permitted, to permit the omission of the required setback within the E area district and to use a portion of the building (cellar) as a garage for more than five (5) motor vehicles; premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and area district maps accompanying the building zone resolution show that 141st street and Vleigh place are in residence and business use districts; 77th road and 78th avenue are each in residence use districts; 141st street, Vleigh place, 77th road and 78th avenue are each in D and E area districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5283-40, dated October 8, 1940, reads:

"1. Construction of a garage for more than five (5)

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vehicles in a business district is contrary to the Bldg. Zone Resolution.

5. Set back from street line not provided in portion of bldg. in E zone, and percentage of area of lot occupied in such zone is excessive."

and

WHEREAS, the premises consist of a plot 250 ft. by 120 ft. in area, upon which it is proposed to erect a two-story building, 220 ft. by 90 ft. in area, of Class 1 construction for cellar story and of Class 3 construction for first and second stories, to be occupied as follows: cellar, garage for more than five (5) motor vehicles, office and storage; first story, stores; second story, bowling alleys and storage; the building will extend 15 ft. beyond the building lines as proposed; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulations of the building zone resolution and that the application be and it hereby is granted, under section 21 thereof, to permit the occupancy of the garage in the cellar for more than five (5) motor vehicles as proposed, and to permit the extension of the building to the building line within the E zone, and subject to the resolution adopted by the Board November 6, 1940, under Cal. No. 982-40-A, on condition that the building shall be erected only one story in height above grade; that the garage portion shall be of fireproof construction throughout; that the boiler-room shall be separated from the rest of the building and enterable only from the exterior; that the garage shall be protected throughout with a sprinkler system complying with the requirements of the Building Code therefor; that the ventilation of the garage shall be provided in accordance with the requirements of the Building Code; that the garage shall be used solely for the storage of motor vehicles owned by tenants of the apartment houses to the north and west, owned or controlled by the Kew Garden Hills Housing Association, Incorporated, or their successors; that there shall be no storage of gasoline or other servicing within the garage premises; that signs shall be restricted to signs attached to the store fronts, excluding all signs on the west side facing the residential district and excluding roof signs and temporary signs; that no advertising signs advertising the garage use shall be maintained except for the necessary signs at the garage entrance indicating entrance and exit; that prior to the filing of plans with the borough superintendent of buildings, revised plans in accordance with this resolution shall be submitted for approval by the chairman of the Board on behalf of the Board; that all permits shall be obtained and all work completed within one (1) year from the date of this action.

APPEAL FROM ADMINISTRATIVE DECISION.

982-40-A.

APPLICANT—Edgar J. Moeller, for Fairtown Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Edgar J. Moeller, Alvin B. Wolosoff and William Wright.

For Opposition: Lester L. Weil.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(982-40-A)

WHEREAS, Edgar J. Moeller, for Fairtown Construction Corporation, owner, filed October 9, 1940, an appeal from a decision of the borough superintendent of buildings and an application for permission to erect a building in the bed of a mapped street (77th road); premises 77-40 to 77-68 Vleigh place, northwest corner of 78th avenue (Block No. 6608, Lot No. 2), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals November 6, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals and supplemented by publication in the Long Island Star Journal October 21, October 28 and November 4, 1940; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5283-40, dated October 8, 1940, reads:

"2. A garage more than 1 story in class 3 construction is contrary to Sect. 4.2.4 of the Bldg. Code.

3. Area of bldg. is in excess of 17,500 sq. ft. for class 3 construction. Sect. 4.2.4.

4. Bowling alleys on 2nd floor is more than 5,000 sq. ft. Section 4.2.4.

6. Proposed building is partly in bed of 77th Road, as per Sec. 14 Area Map."

and

WHEREAS, the proposed building will be two stories (28 ft.) in height, 220 ft. by 90 ft. in area; of Class 1 and Class 3 construction; located in business use D and E area districts; occupied: cellar, garage for more than five (5) motor vehicles; first story, stores, 100 persons; second story, bowling alley, 100 persons; and

WHEREAS, the applicant contends, as to Objection No. 2, that the proposed garage will be located entirely in the cellar of the proposed building, which portion will be of Class 1 construction, sprinklered and ventilated as required by the Building Code and have no connection with the building above same; that as to Objection No. 3, that the Code permits an area of 17,500 sq. ft. for Class 3 construction with three street frontages; that although the proposed building will have an area of 18,760 sq. ft., it will be entirely surrounded by public streets, which is equivalent to four street frontages; that a modification is therefore requested to permit the erection of the building as proposed; that as to Objection No. 4, it is proposed to cover the entire first story ceiling with metal lath and $\frac{3}{4}$ in. Portland cement mortar and install floor of mineral wool between the wood floor beams; that in addition to this, the materials and method of construction of the bowling alleys are in itself a fire-retardent; that the two stairways to the street are to be of steel construction, enclosed in fire-retardent partitions of wood studs, covered both sides with metal lath and $\frac{3}{4}$ in. Portland cement; that as to Objection No. 6, permission is requested to erect a building, as proposed, as the street layout surrounding the plots has been changed so that the portion of the building shown to be in the bed of 77th road will be no longer in the bed of a mapped street; that the street change was approved by the City Planning Commission and the Board of Estimate and is shown on the topographical map, copy of which is filed with this application; that the streets and curbs have been installed under the supervision of the Highway Department; that the reason for the delay in preparation of the final map is the unusual press of work in the Topographical Bureau by reason of the tremendous amount of new construction which requires priority in the Borough of Queens.

Resolved, that the decision of the borough superintendent

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of buildings, on New Building Application No. 5283-40, as to Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be constructed on the street floor one-hour partitions from the floor to the underneath side of the roof boards continuously through the building so that no area will exceed 7,500 sq. ft.; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto, as varied by the Board in the resolution adopted by the Board November 6, 1940, under Cal. No. 860-40-BZ; that, as to Objection No. 6, under the authority granted the Board under section 35 of the General City Law, construction of the building within the bed of 77th road may be permitted in view of the action by the City Planning Commission and the Board of Estimate approving the rearrangement of the streets, and *withdrawn* as to Objections 2 and 4 in view of the limitation of the building to one story in height above grade.

Adjourned, 12:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

WEDNESDAY AFTERNOON, NOVEMBER 6, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

1530-39-BZ.

APPLICANT—Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Morris Perlstein.

For Opposition: Victor D. Borst, Jr. and John P. McKenna.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., on request of applicant.

472-37-BZ.

APPLICANT—Lama and Proskauer, for Rosaria Spatafora, owner.

SUBJECT—Application for consideration—reopening for new hearing (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, auto laundry and offices (previously denied—re gasoline service station in a business use district).

PREMISES AFFECTED—2761-2773 Cropsey avenue, north side, 6 ft. 9 $\frac{7}{8}$ in. west of 28th avenue (Block No. 6915, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

183-40-BZ.

APPLICANT—Benjamin W. Levitan, for Cimiez Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—5792-5798 Broadway and 194 West 237th street, southeast corner (Block No. 3270, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Rosenbaum.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy

Negative: Commissioner Savage

230-40-BZ.

APPLICANT—Reginald S. Hardy, for Winchester Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—234-01 to 234-19 Hillside avenue and 82-63 to 82-71 234th street, northeast corner (Block No. 7935, part of Lot No. 1), Creedmore, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

780-27-BZ.

APPLICANT—Edgar A. Palmieri, for Garbo Garage Corporation, owner.

SUBJECT—Application for consideration—reopening, amendment and approval of plans—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the alteration of a garage for more than five (5) motor vehicles (previously granted by the Board), so as to include an alcove gasoline service station.

PREMISES AFFECTED—112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar A. Palmieri.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

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THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION— (780-27-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles, premises 112-126 East 98th street, west side, 250 ft. north of Winthrop street (Block No. 4616, Lot No. 25), Borough of Brooklyn, was granted by the Board January 24, 1928; and

WHEREAS, Edgar Palmieri, for Garbo Garage Corporation, owner, filed an application, under section 21 of the building zone resolution, so as to include an alcove gasoline service station; and

WHEREAS, the resolution was amended by vote of the Board June 25, 1940, so as to include such alcove gasoline station; and

WHEREAS, the applicant requested a further amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 25, 1940, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the building shall be restricted to a one-story structure above grade; that there shall be no cellar or basement below grade other than space sufficient only for the accommodation and service of heating apparatus; that the rear and gable walls shall be unpierced throughout their entire height and length; that the roof shall be of flat design and construction; that the front elevation shall be finished with face brick and architectural terra cotta or stone trimming; that a fixed double-rung iron ladder shall be provided at the rear on the interior of the building to a scuttle in the roof; that there shall be no sign or advertising other than one electric, projecting sign on the front of the premises indicating the name and title of the business conducted on the premises or advertising as shall be restricted to and fixed on plate glass show windows.

Resolved further, that in the event the owner desires to construct a gasoline selling alcove at the front of the building, substantially as indicated on plans marked 'Received April 5, 1940,' such alcove may be constructed, including an office and lubritorium, as indicated, provided that the alcove wall shall be set back from East 98th street for a distance of not less than 35 ft. and that no gasoline pumps shall be erected nearer than 15 ft. to the street building line; that any windows in this alcove wall shall be constructed of steel frames and sash, glazed with wire glass; that the main entrance doors to the garage shall be of metal and of the sliding type; that the gasoline selling alcove shall be cement paved; that any sign extending beyond the building line shall be solely for advertising the brand of gasoline on sale, and may be illuminated, but shall not extend beyond the building line for a distance of more than 5 ft.; that no portable gasoline tanks shall be used on or from the premises; that lubricating equipment shall be of the hydraulic type; that no automobile repairing shall be carried on on the premises; that not more than three (3) 550-gallon gasoline tanks shall be installed, including the two now existing; that such tanks shall not be installed nearer than 20 ft. to the boiler-room wall; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that in the event this proposed gasoline selling alcove is

constructed, plans shall be submitted for approval by the chairman in behalf of the Board prior to filing same with the Department, and after such approval all permits required shall be obtained and all work completed in connection therewith within one (1) year from the date of this amended resolution; that in all other respects the resolution adopted by the Board on January 24, 1928, shall be complied with.

Resolved further, that plans as submitted, marked 'Received October 24, 1940,' are hereby approved as in general compliance with this resolution, permitting the depth of the gasoline selling area to be 25 ft. as shown instead of 35 ft. as hereinbefore required, and to permit the lubricating equipment to be as shown with one space equipped with the greasing lift of the hydraulic type and one space equipped with a greasing pit, on condition that no closure doors shall be installed unless the mechanical ventilation shall be installed from the pit by means of ducts through the roof with a blower fan of the type as approved for explosive atmospheres."

54-31-BZ.

APPLICANT—Lama and Proskauer, for Dalwor Petroleum Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—South side of Metropolitan avenue, north side of 85th avenue and east side of 125th street (Block No. 207, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION— (54-31-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises south side of Metropolitan avenue, north side of 85th avenue and east side of 125th street (Block No. 207, Lot No. 1), Jamaica, Borough of Queens, was granted by the Board June 30, 1931, on certain conditions, the resolution amended September 29, 1931; and

WHEREAS, Lama and Proskauer, for Dalwor Petroleum Corporation, owner, requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 30, 1931, as amended by resolution of September 29, 1931, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the entrances and exits to the gasoline station shall be confined to the Metropolitan avenue frontage (two in number); that there shall be constructed along the building line on Metropolitan avenue, 125th street and 85th avenue a concrete curbing not less than 12 in. in width and 12 in. in height; on the Metropolitan avenue frontage openings to the gasoline station shall be not more than 12 ft. in width with curb cuts directly in front of said openings not more than 14 ft. in width each; that all pumps shall be set back

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at least 10 ft. from the inside of the concrete curbing; that any advertising sign shall be confined to the illuminated globes of the pumps; that any accessory use shall be housed in a one-story masonry structure, built of tapestry brick or white enamel brick with panel design, with Spanish tile or variegated slate roof; that all openings to said structure, other than pedestrian opening, shall be from the inside of the plot; that any grease racks installed on the premises shall be housed in a structure of similar design to that of the other buildings to be located on the premises, one story in height, with arched openings in front to permit the ingress and egress of cars; said openings to be located facing the inside of the property, not accessible from the street front, all as shown on amended plans filed September 25, 1931.

Resolved further, that the proposed gasoline station may be rearranged substantially as indicated on revised plans marked 'Received October 31, 1940'; that the pumps may be located as indicated, adjacent to the building line, provided there are constructed, as shown on such plans, brick walls of face brick, with proper coping, not less than 4 ft. in height and of the length as indicated on the street building lines of Metropolitan avenue and 85th avenue; that there shall be constructed at the intersection of 125th street and Metropolitan avenue a triangular block of concrete not less than 12 in. in height and not less than 5 ft. along either street line from the intersection; that in all other respects the general requirements of the resolution shall be complied with except that the curbs required along the building line therein may be omitted; that no additional lubricating equipment shall be installed on the premises other than now exists in the accessory building; that the curb cuts shall not exceed two (2) from Metropolitan avenue, not exceeding 20 ft. in width each, and one (1) from 125th street, not exceeding 17 ft. in width; that no curb cuts shall be nearer than 5 ft. to any building line as produced."

100-36-BZ.

APPLICANT—130 West 52nd Street Corporation (lessee), for Blervie Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—135-137 West 51st street, north side, and 130-134 West 52nd street, south side, 300 ft. east of Seventh avenue (Block No. 1004, Lot Nos. 13, 14, 50, 51 and 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Julian E. Gordon.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(100-36-BZ)

WHEREAS, this application, affecting premises 135-137 West 51st street, north side, and 130-134 West 52nd street, south side, 300 ft. east of Seventh avenue (Block No. 1004, Lot Nos. 13, 14, 50, 51 and 52), Borough of Manhattan, was granted by the Board October 14, 1936, for a temporary term of two (2) years, on certain conditions, the period extended November 4, 1938; and

WHEREAS, 130 West 52nd Street Corporation (lessee), for Blervie Corporation, owner, requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 14, 1936, as amended by the resolution of February 15, 1939, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this amended resolution."

228-37-BZ.

APPLICANT—Jack Z. Cohen, for Abraham Rudder, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the establishment of a saw or planing mill for a temporary period.

PREMISES AFFECTED—1389-1393 Rockaway parkway, east side, 280 ft. 4 in. south of Farragut road (Block No. 8166, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(228-37-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the establishment of a saw or planing mill, premises 1389-1393 Rockaway parkway, east side, 280 ft. 4 in. south of Farragut road (Block No. 8166, Lot No. 14), Borough of Brooklyn, was granted by the Board March 11, 1938, for a period of two (2) years, and the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 11, 1938, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"granted for a period of two (2) years from the date of this amended resolution."

66-38-BZ.

APPLICANT—William Shary, for Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, A. Goldenblum and William A. Karser.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

MINUTES

THE RESOLUTION—

(66-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan, was granted by the Board November 9, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 9, 1938, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"granted for a term of two (2) years from the date of this amended resolution."

692-38-BZ.

APPLICANT—Leopold Friedman, for Hawthorne Amusement Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jay Eisenberg.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(692-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn, was granted by the Board November 22, 1938, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 22, 1938, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this amended resolution."

106-40-BZ.

APPLICANT—Colonial Beacon Oil Company (lessee), for Marie Kienzle, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 7c of the building zone resolution, permitting in a business use district the erection and maintenance of a building to be used as a lubricatorium, auto laundry and office on a plot upon which there has existed a gasoline service station.

PREMISES AFFECTED—341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115,

Lot No. 63), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph A. Lynch.

For Administration: M. J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(106-40-BZ)

WHEREAS, this application, under section 7c of the building zone resolution, to permit in a business use district the erection and maintenance of a building to be used as a lubricatorium, auto laundry and office on a plot upon which there has existed a gasoline service station, premises 341 Victory boulevard and 24 Cebra avenue, southwest corner (Block No. 115, Lot No. 63), Tompkinsville, Borough of Richmond, was granted by the Board April 9, 1940, on certain conditions; and

WHEREAS, Colonial Beacon Oil Company (lessee), for Marie Kienzle, owner, requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 9, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c, to permit the reconstruction of the existing legal gasoline station substantially as indicated on revised plans marked 'Received April 5, 1940,' on condition that the accessory building shall be located toward the westerly portion of the lot, as shown, and removed at least 12 ft. 6 in. from the adjoining Lot No. 62 to the north; that the building shall be built of incombustible materials, except that the roof beams, roof boarding, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the requirements of the Board of Standards and Appeals; that the building shall be faced on all sides, except on the rear line to the east, with face brick; that the roof shall be surfaced with natural slate, but otherwise shall be generally of the arrangement and design as shown on plans marked 'Received April 5, 1940'; that there shall be no cellar or open excavation; that there shall be erected on the interior lines from the accessory building to Victory boulevard and along the interior lines to the east and north to Cebra avenue a fence not less than 6 ft. in height, which shall be constructed with a masonry wall not less than 2 ft. in height above grade and a steel picket fence for the balance of the height; that the premises, where not covered by the accessory building, shall be cement paved or paved with Colprovia or other suitable impervious surfacing, except for the space to be planted with suitable shrubbery to the north and to the east; that such spaces shall be protected with a concrete curbing not less than 6 in. in height; that any pumps erected shall be of the parkway design with masonry pedestals matching the masonry of the accessory building and shall not be nearer than 14 ft. to Victory boulevard and 12 ft. to Cebra avenue; that entrances to the premises shall be restricted to two entrances from Cebra avenue not over 35 ft. in width each and one of a similar width to Victory boulevard; that no part of any curb cut shall be nearer than 5 ft. to the side lot lines as extended and not nearer than 5 ft. from the inter-

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section of Victory boulevard and Cebra avenue; that there shall be erected at the corner of Victory boulevard and Cebra avenue a block of concrete or masonry not less than 12 in. in height and extending for not less than 5 ft. from the intersection along either street; that signs shall be restricted to permanent signs attached to the accessory building, prohibiting roof signs and temporary signs, but *granted to permit the erection, within the building line near the intersection, of a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale, and that such sign shall not extend beyond either building line for a distance of over 6 ft. and not over 6 ft. 7 in. at the angle*; that no automobile repairing shall be carried on on the premises and no parking of automobiles other than those being serviced; that the greasing equipment shall be of the hydraulic lift type; that the heater room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that there shall be no openings in the lot line wall to the east and any openings in the wall of accessory building to the north shall have steel sash with wire glass and fixed; that complete working drawings shall be submitted for approval by the chairman in behalf of the Board, prior to same being filed with the borough superintendent of buildings; that such plans shall be filed within one (1) month from the date of this resolution, and that all permits shall be obtained and all work completed within one (1) year thereafter."

APPEALS FROM ADMINISTRATIVE DECISIONS.

670-40-A.

APPLICANT—Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Morris Perlstein.

For Opposition: Victor D. Borst, Jr. and John P. McKenna.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., on request of appellant in connection with Cal. No. 1530-39-BZ.

862-40-A.

APPLICANT—Max Hirsh, for Barrett Company, owner (Harris Warehouses, Incorporated, lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—East side of Smith street, from Halleck street to Sigourney street (Block No. 493, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Hirsh and Isidore Meyer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., for inspection by a committee of the Board.

974-40-A.

APPLICANT—Jack Z. Cohen, for Chand Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer and Charles Schirmeister.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., for inspection by a committee of the Board and consideration by the Board.

1003-40-A.

APPLICANT—Michael Glock, for Remsark Realty Corporation, owner (Rabbi S. Flaum, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Glock and Hyman Getzoff.

For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 19, 1940, at 2 P.M., for further consideration after inspection by a committee of the Board.

808-40-A.

APPLICANT—Charles Wagner Manufacturing Company, Incorporated (lessee), for A. Ludwig and Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Middleton street, north side, 200 ft. east of Marcy avenue (Block No. 2237, part of Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn on written request, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

434-38-A.

APPLICANT—Frank Straub, for William Gold, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1193-1195 Atlantic avenue, north side, 354 ft. west of Nostrand avenue, and 34-36 Herkimer place (Block No. 1866, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Straub.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

805-40-A.

APPLICANT—Saul Goldsmith, for Frank Moczynski, owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(805-40-A)

WHEREAS, Saul Goldsmith, for Frank Moczynski, owner, filed July 22, 1940, an appeal from a decision of the borough superintendent of buildings; premises 150 27th street, south side, 129 ft. 10 in. east of Third avenue (Block No. 660, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3729-40, dated July 22, 1940, reads:

"1. Proposed use of occupancy of existing frame building, within the fire limits, from two family residence to store and 1 family contrary to Secs. 2.1.3.5, 4.1.2 and 4.2.1 of Bldg. Code."

and

WHEREAS, the building is two stories (20 ft.) in height, 20 ft. 2 in. by 35 ft. in area; of Class 4 construction; located in an unrestricted use district; erected in 1890, and occupied: cellar, storage, no persons; first story, store and dwelling in the rear occupied in conjunction with the dwelling on the second story for one family; it is proposed to occupy the building: cellar, storage; first story, store; second story, one family; and

WHEREAS, the applicant contends the building is a two-story frame dwelling, 20 ft. by 35 ft. in area, and occupied by one family at the first story and by one family at the second story; that it is proposed to convert the dwelling use at the first story to store use; that the store will be used as a grocery; that the store use at the first story and the dwelling use at the second story will be tenanted by the owner of the building; that the walls of the building are now brick filled; that the first story ceiling, walls and hall partition will be fire-retarded with metal lath and $\frac{3}{4}$ in. cement plaster; that the cellar ceiling will be fire-retarded with metal lath and $\frac{3}{4}$ in. cement plaster and the interior cellar stair will be enclosed with 4 in. terra cotta blocks and a one-hour fireproof, self-closing door and trim.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3729-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exterior walls of the building on all sides shall be brick filled for its full height; that the cellar ceiling and the ceiling of the first story shall be protected throughout with a fire-retarded ceiling consisting of metal lath and $\frac{3}{4}$ in. cement plaster or $\frac{1}{2}$ in. plaster board and 26 gauge metal applied in accordance with the requirements of the Fire Retarding Rules of the Board of Standards and Appeals; that the partition separating the store occupancy from the stair hall shall have a fire-retarded partition similarly protected on both sides; that any door opening from such hall to the store or other spaces shall be protected with a one-hour door; that the enclosure around the stair to the cellar shall be constructed of 4 in. terra cotta blocks with a fireproof, self-closing door at the foot; that the soffits of the cellar stairway and the soffits of the stairway on the second story shall be similarly fire-retarded; that this modification shall continue only so long as the premises are occupied as proposed, for a store

on the first story and residence on the second story, and the building shall not be increased in height or area.

1011-40-A.

APPLICANT—P. Gagliardi, for George M. Schumacher, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—357 Franklin avenue, east side, 23 ft. north of Lexington avenue (Block No. 1968, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. Gagliardi.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(1011-40-A)

WHEREAS, P. Gagliardi, for George M. Schumacher, owner, filed October 21, 1940, an appeal from a decision of the borough superintendent of buildings for revocation of certificate of occupancy issued for premises 357 Franklin avenue, east side, 23 ft. north of Lexington avenue (Block No. 1968, Lot No. 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3017-40, dated October 28, 1940, reads:

"1. Proposed revocation of Certificate of Occupancy No. 87324-38 is denied.

Under Chapter 26, Section 646g, the power to revoke is vested solely in the Board of Standards and Appeals."

and

WHEREAS, the building is four stories (46 ft. 4 in.) in height, 18 ft. by 53 ft. in area; of Class 3 construction; erected in 1896; located in an unrestricted use district; occupied since May 12, 1938, as follows: cellar, storage; first story, store; second story, one family; third and fourth stories, one family each floor; it is proposed to occupy the building: cellar, same; first story, same; second story, same; third and fourth stories, one family each floor; Certificate of Occupancy No. 87324 was issued May 12, 1938, permitting the occupancy of the building as a store and two-family dwelling; and

WHEREAS, the applicant contends that when the building was altered and occupancy changed to two families, such alteration and change was a temporary expedient only, and was done on advice of Building Department employees so that the applicant would not have to comply with the requirements of the Multiple Dwelling Law at that time; that the building was always arranged, intended and designed for occupancy as a multiple dwelling, and therefore never ceased to be a multiple dwelling within the meaning of the definition of such use contained in the Multiple Dwelling Law; that the certificate of occupancy issued for a two-family dwelling was illegally issued and should now be revoked; that the building should be restored to its former status as a multiple dwelling so that the owner can now comply with the Multiple Dwelling Law and enjoy its full use.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3017-40, Objection No. 1, be and it hereby is *modified*, revoking the certificate of occupancy, so that the owner may carry out his intention under such alteration application to restore the building formerly a tenement to a tenement in full compliance with the requirements therefor as set forth in article 7 of the Multiple Dwelling Law.

MINUTES

1014-40-A.

APPLICANT—Frank C. Keller, for William P. Murphy, owner (Paragon Rubber Cement Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—55-14 Grand avenue, south side, 40 ft. west of 56th street (Block No. 2619, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Ben Schwartz.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(1014-40-A)

WHEREAS, Frank C. Keller, for William P. Murphy, owner (Paragon Rubber Cement Corporation, lessee), filed October 22, 1940, an appeal from a decision of the borough superintendent of buildings; premises 55-14 Grand avenue, south side, 40 ft. west of 56th street (Block No. 2619, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 7469-40, dated September 17, 1940, reads:

"8. The mixing tank or tanks shall be located in a separate compartment bulb upon suitable foundations, having the walls, floor and roof constructed of Portland cement at least 6 inches thick, or of brick masonry, at least 8 inches thick, the brick to be laid in and covered by Portland cement mortar. Section 19-59.0, subd. H of Administrative Code."

and

WHEREAS, the building is one story (15 ft.) in height, 40 ft. by 100 ft. in area; of Class 3 construction; erected in 1925; located in an unrestricted use district; occupied for the manufacture of rubber cement, two persons; and

WHEREAS, the applicant contends that this appeal is brought on behalf of the lessee; that the expenditure of the amount necessary to comply with the order will not be warranted in view of the fact that the lease may terminate; that the property adjoining the rear is used for the manufacture of cement blocks, the property to the east vacant and the property to the west is used as a gasoline service station; that the nearest building or pump located thereon is a distance of 42 ft. from the premises in question; that in view of the fact that no unnecessary hazard exists, the modification of the requirements of the code is requested.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 7469-40, Objection No. 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall comply with all the requirements of the Administrative Code therefor, except that the roof may be of non-fireproof construction, provided the ceiling is fire-retarded with metal lath and plaster in accordance with the rules of the Board, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and in accordance with the requirements of the fire commissioner.

1018-40-A.

APPLICANT—Aerocrete Corporation of America, for 200 Madison Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—220-230 Madison avenue and 16-20 East 37th street, southwest corner (Block

No. 866, Lot Nos. 18, 19, 20 and 60 to 66, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles A. Nichols, Jr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(1018-40-A)

WHEREAS, Aerocrete Corporation of America, for 220 Madison Avenue Corporation, owner, filed October 23, 1940, an appeal from a decision of the borough superintendent of buildings; premises 220-230 Madison avenue and 16-20 East 37th street, southwest corner (Block No. 866, Lot Nos. 18, 19, 20 and 60 to 66, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 24-40, dated October 15, 1940, reads:

"61. Obtain approval of Board of Standards and Appeals for the use of 'Gritcrete' Flat Slab Construction."

and

WHEREAS, the building will be fourteen stories and pent house (133 ft. 6 in.) in height, 160 ft. by 139 ft. in area; of Class 1 construction; located in a restricted retail use district; occupied throughout as a Class A multiple dwelling, with doctor's office, dining room and storage on the first story; and

WHEREAS, it is proposed to use Gritcrete Flat Slab Construction for long spans as shown on drawings filed with this appeal marked "Received October 29, 1940"; and

WHEREAS, the applicant contends that this request for permission to use Gritcrete Long Span Construction in this specific instance is based upon tests as reported in Columbia University Report No. 2492; that it is requested that the Board take action similar to that previously taken under Cal. No. 44-40-A so as to permit the specific exception for the building in question.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 24-40, Objection No. 61, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction shall comply with the requirements, specifications and limitations as set forth in a similar appeal for the building at 735 Park avenue, under Cal. No. 44-40-A; that the trusses shall be precambered not less than 1/2 in. as required in the resolution and the report of the committee under Cal. No. 44-40-A, and not sprung, as apparently was done in connection with the building at 735 Park avenue, which was approved by the Board under Cal. No. 918-40-A for 530 Park avenue; that no span shall exceed the length of 14 ft. 6 in. and shall be in accordance with the details of the Columbia University test of October, 1939, for construction of test span; that the trusses shall be supported at each bearing point with properly proportioned fillet welds, and that in all other respects the construction shall comply with all laws, rules and regulations applicable thereto.

1025-40-A.

APPLICANT—George W. Herz, for Joseph B. Garity Post No. 562, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1936 Madison street, southeast corner of Fairview avenue (Block No. 3481, Lot No. 39), Ridgewood, Borough of Queens.

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APPEARANCES—

For Applicant: George W. Herz and Wilson A. Caskey.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1025-40-A)

WHEREAS, George W. Herz, for Joseph B. Garity Post No. 562, Incorporated, owner, filed October 24, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1936 Madison street, southeast corner of Fairview avenue (Block No. 3481, Lot No. 39), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1515-40, dated September 26, 1940, reads:

"1. The conversion to a public use of a frame building exceeding 1 story in height, or 600 sq. ft. in area, is contrary to sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is two stories (22 ft.) in height, 10 ft. by 55 ft. in area; of Class 4 construction; located in business use district; erected in 1890, and occupied since 1919 as follows: cellar, storage, boiler-room and recreation room, 2 persons; first story, meeting rooms and clubhouse, 25 persons; second story, meeting rooms, 50 persons; and

WHEREAS, Violation No. 2351-38 was issued April 2, 1940, for change of occupancy from dwelling to a clubroom without a certificate of occupancy; and

WHEREAS, the applicant contends the premises have been occupied by the present owner as an American Legion clubhouse since 1919; that a summons was served subsequent to the issuance of Violation No. 2351-38 and is now pending in the Magistrate's Court, having been adjourned to permit the filing of this appeal; that the building is located on a corner lot and faces two streets and the BMT right-of-way; that there is one exit from the cellar to the rear yard; that the first story contains three rooms and a small office; that the second story is used for meeting rooms; that it will have an occupancy not to exceed fifty people and then only at stated intervals for regular semi-monthly meetings; that the exit from the second story is by interior stairway and at the rear by windows leading to the roof of the one-story extension; that if this appeal is denied a serious hardship will result to the owners; that it is proposed to erect a modern building in the near future, and until such time as said building is erected, it is requested that certificate of occupancy be issued to permit the maintenance of the present use.

Resolved, that the decision of the borough superintendent of buildings, on Miscellaneous Application No. 1515-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two existing exits to the second story shall be maintained; that the building shall not be increased in height or area; that this modification shall continue only so long as the building is occupied throughout as herein described by the Joseph B. Garity Post No. 562, American Legion, and that the building shall not be used otherwise; that the cellar ceiling throughout shall be metal protected.

1051-40-A.

APPLICANT—Department of Sanitation, for the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Metcalf avenue, 935 ft. southeast of Noble avenue and 1,350 ft. south

of Randall avenue (Block No. 3488, Lot No. 1), Soundview Park, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph C. Zengerle.

For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1051-40-A)

WHEREAS, Department of Sanitation, for the City of New York, owner, filed October 30, 1940, an appeal from a decision of the borough superintendent of buildings; premises south side of Metcalf avenue, 935 ft. southeast of Noble avenue and 1,350 ft. south of Randall avenue (Block No. 3488, Lot No. 1), Soundview Park, Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 785, dated October 31, 1940, reads:

"1. Area and height of building exceeds limits prescribed by Sec. (4.2.1)."

and

WHEREAS, the building will be one story (20 ft.) in height to underside of trusses, 100 ft. by 100 ft. in area; of Class 5 construction; located in an unrestricted use district; to be occupied by the Sanitation Department as a service station and motor repair shop in connection with Sound View Park Unloading Operations; and

WHEREAS, the applicant contends that the proposed steel structure will be for temporary use only and will be maintained for approximately one and one-half years during the time required for filling the area of the proposed park site; that the building will be used for servicing bulldozers, tractors and track wagons; that the track wagons are of 40 cubic yards capacity and are side dumpers; that for this reason the additional headroom provided is required; that the applicant has already contracted for the structure and same is now being fabricated; that the area of the building is the minimum that can be provided to permit space for maneuvering large pieces of equipment, some of which are 27 ft. in length and 13 ft. in width.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 785-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area and that it shall be used solely as proposed and for a period not over two (2) years from the date of this resolution; that upon expiration of such permitted term the building shall be completely removed from the site.

1054-40-A.

APPLICANT—George Edward Beatty, for Our Lady of the Miraculous Medal Roman Catholic Church, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—62-93 60th place, northeast corner of Bleecker street (Block No. 3519, Lot Nos. 1 and 5), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Fred N. Severud and George Edward Beatty.

For Administration: M. J. O'Donohue, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1054-40-A)

WHEREAS, George Edward Beatty, for Our Lady of the Miraculous Medal Roman Catholic Church, owner, filed October 31, 1940, an appeal from a decision of the borough superintendent of buildings; premises 62-93 60th place, northeast corner of Bleecker street (Block No. 3519, Lot Nos. 1 and 5), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 4123-40, dated October 30, 1940, reads:

"Receipt is acknowledged of your letter of October 28th, 1940 regarding foundation at the above premises.

As stated in my letter of September 20, 1940, to Mr. Fred N. Severud on this same subject, I feel that the placing of spread footings on fill material varying in depth from about 10 ft. to 40 ft. for a monumental church structure is inadvisable regardless of the results of load tests at the site. To me the question of progressive unequal settlements is the major factor. In my opinion, such future action of the material cannot be foretold with sufficient accuracy from the results of load tests. The borings indicate the presence in this fill of materials other than sand and gravel. This in itself casts a serious doubt on the uniformity of characteristics of the fill.

As stated to you, this office will cooperate to the fullest extent in the conduct of the proposed load tests you desire to make. The results of the tests will be carefully considered in connection with all the other available data. It is clearly understood, however, that the Department is not thereby obligated to accept the results even of successful tests under the Code specifications as proof that spread footings designed for a specific load are acceptable for this structure."

and

WHEREAS, the proposed building will be one story and basement (53 ft. 5 in.) in height, 52 ft. 6 in. by 166 ft. 6 in., irregular, in area; of Class 1 construction; located in a residence use C area district, and be occupied for one thousand (1,000) persons; and

WHEREAS, the applicant contends that this appeal is taken from paragraph 3 of the borough superintendent of buildings' decision; that the history of this site is known for many years back; that the rector of the church has stated that the site was filled in in 1922 with earth drawn from Menahan street, which was being cut through at the time; that all the fill was clean earth which had never been disturbed until it was transferred to this site; that affidavits of the residents of the locality have been filed certifying that for fifty years there was never any ground water or swamp conditions on the site; that test borings made July, 1940, confirmed these affidavits and indicate that the soil will carry one and one-half (1½) tons per square foot in safety, at the level of the footings, approximately eight (8) feet below grade; that it is proposed to verify these facts by load tests; that in accordance with the requirements of the Administrative Code, the applicant requested the borough superintendent of buildings for permission to conduct soil tests by loading; that the intent of the Administrative Code has been clarified by the Board's resolution adopted under Cal. No. 403-39-A; that the decision of the borough superintendent of buildings takes cognizance of the provisions of the Administrative Code, grants permission for soil tests by loading but vitiates the theory, principle and facts of such tests by a refusal to consider the specific results of the tests in any but a negative manner, and will assign no bearing value to the soil regardless of any positive results of tests unless such bearing value was determined by some one other

than the borough superintendent of buildings; that therefore the applicant requests that the Board direct the borough superintendent of buildings to accept the results of soil tests according to the provisions of the Administrative Code and that the Board determine the allowable bearing value of the soil from the results of load tests; that if the decision of the borough superintendent of buildings is sustained, the owner will be required to expend approximately \$25,000 for pile foundations which will in no way increase the safety factor, stability, permanence or utility of the proposed building; and

WHEREAS, in the opinion of the Board the provisions of sub-article 5, covering the bearing values of soils, Administrative Code, sections C26-376.0, C26-377.0, C26-378.0 and C26-379.0, empower the borough superintendent of buildings to require such tests as are necessary so that he may determine the allowable bearing capacity per square foot, and that the provisions of C26-379.0 are mandatory upon the borough superintendent of buildings.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 4123-40, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the borough superintendent of buildings shall require such tests as are necessary so that an allowable bearing capacity per square foot can be determined by him even though no presumptive bearing capacity for filled ground is stated in the Administrative Code.

362-37-A.

APPLICANT—Regina F. Kelly, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—38-14 147th street, west side, 100 ft. south of 38th avenue (Block No. 5024, Lot No. 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Regina F. Kelly.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(362-37-A)

WHEREAS, this appeal from a decision of the commissioner of buildings, affecting premises 38-14 147th street, west side, 100 ft. south of 38th avenue (Block No. 5024, Lot No. 49), Flushing, Borough of Queens, was granted by the Board July 16, 1937, on certain conditions, and the owner requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 16, 1937, so that as amended the resolution shall read:

"*Resolved*, that the decision of the commissioner of buildings, No. 2948-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the building as shown on plans filed with this appeal to be used as a convalescent home for a *term of three (3) years from the date of this amended resolution, on condition* that no patient shall be housed above the second story and that the third or attic floor shall be used only for attendants; that the number of patients accommodated shall at no time exceed ten (10); that there shall be constructed at the rear an iron stairway not less than 3 ft. in width and with an angle of not more than forty-five degrees to provide an exit from the rear open porch to grade and that doors to this porch shall be maintained from the two bedrooms facing thereon; that such portable fire-fighting equipment shall be installed on each floor as the commissioner may direct;

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that other than as modified herein, all laws, rules and regulations applicable to the construction of this building and its occupancy shall be complied with.

Resolved further, that the home shall be maintained to the satisfaction of the Department of Hospitals."

643-40-A.

APPLICANT—Davega-City Radio, Incorporated, lessee, for F. G. H. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 [1167], Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Weiss.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(643-40-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, premises 163-24 to 163-26 Jamaica avenue, south side, 217.72 ft. east of New York boulevard (Block No. 10151 [1167], Lot Nos. 12, 13 and 113), Jamaica, Borough of Queens, was granted by the Board July 16, 1940, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 16, 1940, so that as amended the resolution shall read:

"Resolved, that the order of the fire commissioner, Order No. 4538-LF, be and it hereby is *modified* and the appeal, as to Item 1, be and it hereby is *granted on condition* that there shall be installed throughout the cellar, for a distance of approximately 50 ft. from Jamaica avenue to the fire walls separating the cellar in the rear, a non-automatic sprinkler system complying with the requirements of the Building Code therefor, except that street water connection may be omitted and no fire alarm need be installed and except that the hose inlet at the building line may be of the single inlet type located not less than 12 in. above the sidewalk; that all fittings and hangers shall be of malleable iron; that the cap of the hose inlet and the sign stating the area covered shall be painted aluminum."

910-40-A.

APPLICANT—Aymar Embury II, for Queens County Jockey Club, owner (request for reopening made by Wingate and Cullen, attorneys for owner).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-60 108th street, west side, between Peconic street and 135th avenue and in bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block). Aqueduct, Borough of Queens (Aqueduct Race Track); (under section 35, General City Law—re Bed of Mapped Street).

APPEARANCES—

For Applicant: Aymar Embury II and Joseph B. Cavallaro.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(910-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, premises 135-60 108th street, west side, between Peconic street and 135th avenue and in the bed of Peconic street, 1,100 ft. north of North Conduit avenue (Block No. 11562, Lot No. 7, and Block Nos. 11564 and 11539, Lot Nos. 1 in each block), Aqueduct, Borough of Queens, was granted by the Board October 22, 1940, on certain conditions, under section 35 of the General City Law; and

WHEREAS, the applicant requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 22, 1940, by adding thereto after the words "of such streets":

"beyond ten (10) years and that if the streets are opened in the interim, no claim shall exceed the cost of construction of the affected portion of the grandstand within the bed of the mapped street, less reduction at the rate of ten (10) per cent. of such cost per annum starting with the date of completion of such construction."

956-40-A.

APPLICANT—Eggers and Higgins, for The F. and M. Schaefer Brewing Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—448-456 Kent avenue, northwest corner of South 10th street (Block No. 2143, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. J. Doolittle and G. Taylor.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(956-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, premises 448-456 Kent avenue, northwest corner of South 10th street (Block No. 2143, Lot No. 1), Borough of Brooklyn, was granted by the Board October 29, 1940, on certain conditions; and

WHEREAS, the applicant requested amendment of the resolution as to protection of structural steel.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 29, 1940, so that as amended the resolution shall read:

"Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 2114-40, Objection Nos. 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that the building shall be constructed substan-

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tially as indicated on plans filed; that the buildings shall not be increased in height or area; that gas masks suitable for ammonia fumes shall be installed within the building near open stairway on alternate floors as may be required by the fire commissioner; that the standpipe in the adjoining building shall be equipped at each outlet with approved hose not less than 100 ft. in length; that this variation shall continue only so long as the building is occupied as proposed, and granted, as to Objection No. 4, on condition that the structural steel shall be protected at all times with an approved waterproof material as required for exposed structural steel."

984-40-A.

APPLICANT—Reis and O'Donovan, Incorporated, for Warner-Hudnut Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Reis.

ACTION OF BOARD—Appeal reopened, restored to Calendar and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(984-40-A)

WHEREAS, Reis and O'Donovan, Incorporated, for Warner-Hudnut Corporation, owner, filed October 10, 1940, an appeal from a decision of the borough superintendent of buildings; premises 135-143 West 18th street, north side, 350 ft. 8 in. west of Sixth avenue (Block No. 794, Lot No. 17), Borough of Manhattan; and

WHEREAS, this appeal was withdrawn October 29, 1940, pending action by the Fire Department; and

WHEREAS, the applicant requested reopening of the appeal and restoration to the calendar for consideration; and

WHEREAS, this appeal was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 658-40, dated October 2, 1940, reads:

"1. Auxiliary tank in excess of 60 gallons contrary to rules of Board of Standards and Appeals."

and

WHEREAS, the building is five stories (83 ft.) in height, 125 ft. by 84 ft. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; erected in 1896; located in an unrestricted use district, and occupied: cellar, power plant, 4 persons; second to fifth stories, inclusive, storage, no persons; and

WHEREAS, the applicant contends that it is proposed to install one (1) 100-KW and one (1) 300-KW Diesel engine generator unit; that the 300-KW unit will use 25 gallons of oil per hour; that the sixty-gallon auxiliary tank permitted by rules would provide only two hours' operation; that it is requested that permission be granted to install a 110-gallon tank to supply the 300-KW unit in order to permit at least four hours' operation of such unit.

Resolved, that the decision of the borough superintendent

of buildings, on Miscellaneous Application No. 658-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the proposed 60-gallon and 110-gallon tanks shall comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals other than capacity; that this tank may be used with gravity feed to the proposed Diesel engine and may be connected with an approved storage tank, provided such storage tank and the installation meets with the requirements of the Oil Burner Rules in all respects other than as varied herein as to size of tank.

APPLIANCES SUBMITTED FOR APPROVAL.

427-38-SA.

APPLICANT—Josam Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85, previously approved.

APPEARANCES—

For Applicant: George H. Lang and A. T. Meserau.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(427-38-SA)

WHEREAS, A. J. Meserau, agent for Josam Manufacturing Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85; and

WHEREAS, this appliance was approved by the Board February 7, 1939, in accordance with report of the engineer, which report reads:

REPORT OF ENGINEER.

Cal. No. 427-38-SA.

Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85, approval of.

A. F. Mesereau, agent for Josam Manufacturing Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85.

This appliance is made of heavy cast iron in various sizes and the original application was for approval of all these sizes, but this has been amended to include only the four largest sizes, which have dimensions as follows:

Type	Dimensions in Inches						
	Inlet & Outlet	Seal	Cleanout	Width	Length	Height	
B-64	A	B	C	D	E	F	G
B-64	4	14½	6	21	24	42	30
B-65	5	14½	6	21	24	42	30
B-66	6	14½	6	21	24	42	30
B-85	5	20½	2	28¾	34	50	36

Operation of Interceptor

In the interceptor, the incoming drainage is directed against a series of baffles which separate the oil, gasoline, naphtha, etc., from the drainage passing through. These intercepted liquids do not remain in the interceptor, but are immediately discharged through the automatic gravity flow oil draw-off, to a container or storage tank. The draw-off, by reason of its design, can be set for each individual installation. The setting or

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adjusting depends upon various conditions of the particular installation, such as the size of the interceptor and the amount of drainage passing through in a given period. The container or storage tank placed somewhere in the vicinity of the interceptor, receives the accumulating oils and other liquids safely, for the reason that the discharge of the accumulating oils and other liquids has been automatic.

A feature of the Josam Oil Interceptor is the removable sediment container, which retains all heavier than water solids removed from the drainage during the intercepting process. Disposal of sediment is easily accomplished by simply lifting off the interceptor cover and taking out the container.

The sloping floor of the interceptor combined with the three baffles within and the shape and angle of the channel, function jointly to effect elimination of all inflammable solids and liquids. There is no possibility of evaporation, since the seal is of sufficient depth to absolutely prevent it.

METHOD OF VENTING ASSURES IMMEDIATE AND POSITIVE REMOVAL OF EXPLOSIVE GASES

Covers are gasket tight against escape of fumes. Dome cover over the inlet end has vent and recirculating vent connections, which provide for the constant and positive circulation of air through the interceptor.

The appliance was tested in operation at Philadelphia in the presence of a committee of the Board and at 601 West 26th street by the engineer of the Board and the engineer of the Division of Combustibles, Fire Department.

On the basis of these tests, it is recommended that the Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85, be approved for use in New York City, on condition that the side outlet to draw off oil be discontinued or that it be connected to a tank of at least 275 gallons capacity constructed in accordance with the requirements of the Oil Burner Rules of the Board of Standards and Appeals and that the device bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 427-38-SA."

and

WHEREAS, the owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 7, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85, for use in New York City when manufactured, installed, operated and labeled in accordance with the above report.

Resolved further, that until such time as the Board adopts rules covering such equipment or requires generally that all such equipment as approved shall be equipped with telltale devices; the 275-gallon tank herein required may be omitted."

888-40-SA.

APPLICANT—Clarence S. Dieter, for Bethlehem Foundry and Machine Company, owner.

SUBJECT—Bethlehem-Dynatherm Oil Burner, approval of.

APPEARANCES—

For Applicant: Jerome E. Gleich.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(888-40-SA)

WHEREAS, Clarence S. Dieter, for Bethlehem Foundry and Machine Company, owner, filed August 7, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Bethlehem-Dynatherm Oil Burner; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 4, 1940.

Cal. No. 888-40-SA.

Subject: Bethlehem-Dynatherm Oil Burner, approval of.

Clarence S. Dieter, for Bethlehem Foundry and Machine Company, filed August 7, 1940, an application with the Board of Standards and Appeals for approval of the Bethlehem-Dynatherm Oil Burner under the provisions of C19-57, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

General
This is a mechanical draft oil burner for installation in domestic heating plants. It is designed for operation with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, which is approximately 28-32 degrees Baume. It is automatic in its operation, being controlled by a room thermostat and equipped with automatic ignition and safety control.

The *nozzle* is located in the chamber of the combustion head immediately behind the orifice of the refractory insert. The fan supplies the necessary air for combustion tangentially into the chamber of the combustion head immediately in front of that orifice. The vaporized oil is ignited by an electric spark between two electrodes which are supplied with current at high voltage by a transformer.

The *safety control* consists of a combustion thermostat and a safety switch, which operate to open the motor circuit and shut down the burner in the event of ignition or flame failure. This control will then restart the burner after a pre-determined time (the so-called "scavenging period") and in the event the flame is not re-established will again open the motor circuit and hold it open until manually reset.

Motor. The burner is equipped with an Ohio Electric Company long hour duty motor, single phase, 110-220 volt, 60 cycle, $\frac{1}{8}$ horsepower, 1,750 revolutions per minute with a resilient base mount and with special end bell mounting for the fuel unit.

Fan. A fan of the Sirocco type 9 in. diameter by 1 in. wide is used. The fan is mounted in the center of the fan housing and held to the shaft driving it by means of a set screw.

The conventional *draft tube and air diffuser* are not required in this design of burner; the elements of combustion being thoroughly mixed and combustion initiated in the swirl chamber of the combustion head. From thence the flame and combustion gases are discharged spirally throughout the length of a combustion tube, this tube being of the correct diameter and length to give the requisite amount of travel to insure complete combustion.

The *fuel unit* used is manufactured by the Tuthill Pump Company and is known as Model 3-OLEE. It comprises a strainer pump and pressure regulating valve with means for returning the excess pump capacity either to the suction line or to the supply tank. This

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unit is approved by the Underwriters' Laboratories and complete description and data are on file in their office.

As an alternate, any similar, approved type of fuel unit may be used.

Nozzle and Electrode Assembly. The nozzle and electrode assembly consists essentially of a nozzle, feed pipe and electrodes suitably mounted upon a common bracket or plate, which in turn is bolted to the rear of the combustion head.

The nozzle is the "Monarch" or other standard type and consists of a brass body equipped with $\frac{1}{8}$ in. pipe tap for connection to the brass feed pipe and a stainless steel nozzle tip, capacity range two to four gallons per minute.

Transformer. The transformer is mounted upon a steel plate which is bolted to the fan housing and motor bracket. It is of the mid-point grounded type of 10,000 secondary volts and may be of any approved make, such as Dongan 1,725-SP or SN, Webster 211-A, Jefferson 638-251, etc. The transformer itself serves as a junction box and McDonald Low Water Cut-off.

The high-tension terminals are connected to the electrode system by means of high-tension cables insulated with rubber and at least one layer of varnished or lacquered cambric. These shall be of the listed type GT0-10 specified in Underwriters' Laboratories Bulletin Subject 296, March 28, 1933. These wires have "Rajah" terminals at both ends—spring snap type S/S No. 11 at one end and ring type R/2 No. 11 at the other.

Safety Controls. The burner is equipped with a listed Minneapolis Honeywell Type R-117-3 combination safety switch and combustion thermostat or other approved types of safety control. This control is shipped with the burner as a separate unit for mounting in the stack of the heating plant.

Electrical Wiring. The motor is provided with not smaller than No. 16 Awg rubber-covered fixture wire, which extends to the transformer outlet box and which is enclosed in labeled flexible metal conduit terminating in listed fittings.

The ignition transformer is provided with not smaller than No. 16 Awg rubber-covered fixture wire leads. The outlet box of the ignition transformer is the means provided for conduit connection to the burner.

This burner is made in three sizes, Nos. 24, 36 and 48, based on water capacity.

The burner was inspected by a committee of the Board and found to operate without flarebacks or undue carbon deposits, cutting off the oil supply the burner shut down in fifty seconds.

The burner has been approved by the Underwriters' Laboratories, File No. MP 593.

On the basis of the foregoing data, the Committee on Tests recommends that the Bethlehem-Dynatherm in sizes Nos. 24, 36 and 48 be approved for use in domestic installation with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, on condition that the burner be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and this report, and that the burner have a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 888-40-SA."

(Sg.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals do hereby approve the appliance known as the Bethlehem-Dynatherm Oil Burner, on condition that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL.

850-40-SM.

APPLICANT—National Acoustics, Incorporated, for National Gypsum Company, owner.

SUBJECT—Gold Bond Travacoustic, Travacoustic and Travacoustic Units, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

489-40-SM.

APPLICANT—Glens Falls Portland Cement Company, owner.

SUBJECT—Iron Clad Brick Cement, approval of.

APPEARANCES—

For Applicant: Charles F. Raber.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(489-40-SM)

WHEREAS, Glens Falls Portland Cement Company, owner, filed May 7, 1940, an application with the Board of Standards and Appeals for approval of the material known as Iron Clad Brick Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 27, 1940.

Cal. No. 489-40-SM.

Subject: Iron Clad Brick Cement, approval of.

On May 7, 1940, the Glens Falls Portland Cement Company filed an application for approval of Iron Clad Brick Cement, manufactured by the applicant at Glens Falls, New York, as a masonry cement for use in New York City pursuant to section C26-312.0 c-2 (7.1.1.7.3) of the Administrative Building Code and section C26-314.0.

The manufacturing processes are as follows:

The Iron Clad Brick Cement is a masonry cement composed of Portland cement clinker, gypsum and limestone intimately ground with resin to produce the desired plasticity and water repellency. The Portland cement clinker used is made from a proportioned mixture of "cement" rock and limestone which is drilled at intervals and tested for calcium carbonate content in advance of quarrying. The quarried rock is crushed and pulverized in the presence of water to form a slurry and ground in ball mills and tube mills to the desired fineness, water content and slurry carbonate content.

MINUTES

The corrected slurry is pumped to a slurry basin and thence to the feed end of the kilns which are of the F. L. Smidth or Reeves type. The F. L. Smidth kiln is 382 ft. long and the Reeves kiln is 250 ft. long. The slurry is calcined at a temperature of approximately 2,700 degrees Fahrenheit. The resulting clinker is discharged into an F. L. Smidth skipulter which conveys the clinker to a cooler and from thence it is conveyed to covered storage. The clinker is taken from storage and placed into the clinker storage bin by a traveling crane. The clinker is removed from the storage bin and intimately ground with gypsum and siliceous and calcareous materials with less than 1 per cent. of resin to produce the desired workability and water repellency.

The brick cement mixture is ground in ball mills and tube mills and then transported to Sturtevant air separators where the fine material is separated from the coarse and then transferred to silos and bins for storage prior to packing.

The laboratory controls of the manufacturing process are as follows:

Samples of drilled rock are taken every 5 ft. in advance of quarrying and the calcium carbonate content determined. The rock is then combined in the quarry to produce the desired result prior to crushing and transported to stone storage where it is segregated for use in the manufacturing of masonry cement. Samples of the clinker are taken every two hours to determine the free lime content and the degree of burning by visual inspection. The clinker samples are ground and made into specimens for soundness tests.

Samples of the intimate ground mixture of clinker, gypsum, stone and resin are taken every hour for fineness tests. A twelve-hour average sample is taken for testing the water repellency, water retention, time of set, volume change, SO₃, tensile and compressive tests.

This material was tested in the applicant's laboratory at Glens Falls, New York, in the presence of a representative of the Committee on Tests, pursuant to Federal Specification SS-C-181 b for Type II masonry cement and A.S.T.M. designation C91-38-T with the following results:

Test For	As Tested	Federal Spec. SS-C-181 b	A.S.T.M. Spec. C-91-38-T
Fineness--200 sieve	99.0	Min. 88%	
Time of set—Initial	3 hrs. 30 min.	Min. 60 min.	Min. 60 min.
Time of set—Final	5 hrs. 10 min.	Max. 48 hrs	Max. 48 hrs.
Soundness	Sound	Sound	Sound
Compressive Strength			
P.S.I. (2" x 2" cubes)	Type II		
3 days	759	—	—
7 days	1118	500	350
28 days	1384	1000	600
1:3 mix 12½% water	flow 102%.		
Tensile Strength			
P.S.I. (Briquettes)			
3 days	285	—	—
7 days	303	—	—
28 days	346	—	150*
N.C. 27%, water used,	11%.		
Water Retention	87	not less than .65	.65
Water Repellency	0.40	not more than .90	—

* Building Code Requirement (C26-314.0 b) (2.1.1.9 b).

CHEMICAL ANALYSIS

SiO ₂	15.80
Fe ₂ O ₃	2.05
Al ₂ O ₃	5.35

CaO	56.35
MgO	2.30
SO ₃	1.80
Loss	16.00

Resin .1 per cent. to .13 per cent.

There is a sufficient supply of raw materials available for at least fifty years at the present rate of manufacture.

On the basis of the foregoing data, the Committee recommends that Iron Clad Brick Cement, as manufactured by the Glens Falls Cement Company, at Glens Falls, New York, when mixed in the proportions stated herein, be approved for use in New York City as a masonry cement pursuant to section C26-312 c-2 (7.1.1.7.3 c-2) and for use in other mortars pursuant to section C26-314 (7.1.1.9) of the Administrative Building Code—which provides that such other mortars may be used when cement mortar is *not specifically required* and when such other mortars have a tensile strength of at least 150 pounds p.s.i. at age twenty-eight days. This material is marketed in seventy-pound cloth and paper bags and in bulk. When packed in bags it shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 489-40-SM" and when marketed in bulk for use in New York City, the bill of lading shall be similarly marked, or in lieu thereof, a die or stamp be made (and stamped or labeled on bag), bearing the following inscription within a circle: around the periphery at the top, the word "App'vd," along the bottom "B.S. & A."; in the center two lines, *upper* line reading "N.Y.C."; *lower* line reading "489-40-SM." To insure that this specification be maintained, monthly reports of mill tests signed by the applicant's chemical engineer or chief chemist shall be filed with the Board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Iron Clad Brick Cement, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

646-40-SM.

APPLICANT—United States Mineral Wool Company,
owner.

SUBJECT—U. S. Mineral Wool Insulation, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy

Negative

THE RESOLUTION—

(646-40-SM)

WHEREAS, United States Mineral Wool Company, owner, filed June 14, 1940, an application with the Board of Standards and Appeals for approval of the material known as U. S. Mineral Wool Insulation; and

MINUTES

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 4, 1940.

Cal. No. 646-40-SM.

Subject: U. S. Mineral Wool Insulation, approval of.

The United States Mineral Wool Company, of Chicago, Illinois, filed on June 14, 1940, an application with the Board of Standards and Appeals for approval of rock wool under trade names as listed herein under the provisions of the Supplementary Rules and Regulations of the Department of Housing and Buildings, section 1-2.4, Mineral Wool, and as a fire-stopping material, section 1-5 of these rules and under section C26-535.0 sub. a and b (8.7.1.8.1) Administrative Building Code which provides for fire stopping and (8.7.1.8.2) which provides for fire stopping of furred spaces; also, under section C26-88.0 (1.80) of the Administrative Building Code.

This rock wool insulation is manufactured at the applicant's plants in Stanhope, New Jersey, and South Milwaukee, Wisconsin, in granular, loose and bat form. In the latter form it comes in 2 in. thicknesses.

The appellant has furnished data of a one-hour fire test conducted at Columbia University (Report 2420). The test was made as follows:

The test panel consisted of a 24 in. x 44 in. wood frame having a 2 in. x 4 in. cap and sill and four 2 in. x 4 in. studs spaced 13 in., 16 in. and 13 in. c-c respectively. Standard wood lath were used on both faces of the panel. U. S. Gypsum Red Top sanded plaster was applied to the wood lath in two coats, the first (scratch) coat being allowed to cure for two days before the second coat was applied. Finally, a finish coat was applied, consisting of two parts lime to one part Plaster of Paris. The total thickness of plaster on each face of the panel was approximately $\frac{3}{4}$ in. At the time of test the plaster had been in place for twelve days.

The total volume of the spaces between the studs was computed to be 1.58 cu. ft., and into these spaces 15.9 pounds of mineral wool was packed by hand, equal to a density of ten pounds per cu. ft., after which the 2 in. x 4 in. cap was nailed in place across the ends of the studs.

The fire test was made in a 24 in. x 30 in. air-gas furnace having three sides built of fire brick, the fourth side being open. The test panel was placed in the furnace in a vertical position so as to form the fourth side of the furnace. The temperature within the furnace was raised in accordance with the A.S.T.M. standard time-temperature curve, but with the time intervals halved as to reach 1,700 degrees Fahrenheit in $\frac{1}{2}$ hour. The temperature of 1,700 degrees Fahrenheit was then maintained practically constant for an additional half hour, making the total time of fire exposure one hour.

After the one-hour period the panel showed a temperature rise of 62 degrees Fahrenheit on the unexposed side. On the exposed side the plaster was completely calcined but was still in place at the end of the test.

The mineral wool was smoked to a depth of about 1 in. On the unexposed sides of the panel the wood lath were in their original condition and the plaster keys were unaffected.

On the basis of this test, the Committee on Tests recommends the approval of the U. S. Mineral Wool Insulation as marketed under the names of U. S. Rock Wool, U. S. Stud-Pak, as a fire-retarding material under the Supplementary Rules and Regulations of the former Tenement House Department, section 1-2.4, and section C26-191.0 (2.2.3), Administrative Building Code, provided that the material shall be placed in studs at a density of not less than ten pounds per cubic foot. When blown in, it shall be well compacted to eliminate

possible voids and prevent bridging where plaster keys are excessive. If cross bridging or other obstruction exist, means shall be taken to gain access to all spaces between the studs to be fire-retarded.

Approval is also recommended for the use of the rock wool in its various forms as outlined herein, in bats without paper backing, for use as a firestop, under section 1-5 of the Supplementary Rules and Regulations of the former Tenement House Department and under C26-535.0, sub. a and b, Administrative Code (8.7.1.8 and 8.7.1.8.2, Building Code). When this material is installed in accordance with the requirements of these sections and when so installed, the density shall not be less than ten pounds per cubic foot.

It is further recommended that these various rock wool materials be installed under the supervision of the manufacturer or his agents and that each bag or carton containing this material shall be stamped, labeled and tagged, reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 646-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals do hereby approve the material known as U. S. Mineral Wool Insulation, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

851-40-SM.

APPLICANT—National Acoustics, Incorporated, for W. I. Lucius, owner.

SUBJECT—Simplex Ceilings, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative

THE RESOLUTION—

(851-40-SM)

WHEREAS, National Acoustics, Incorporated, for W. I. Lucius, owner, filed August 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as Simplex Ceilings; and

WHEREAS, this material was submitted to the Committee on Tests of the Board of test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 4, 1940.

Cal. No. 851-40-SM.

Subject: Simplex Ceilingss, approval of.

National Acoustics, Incorporated, of New York, filed on August 8, 1940, an application with the Board of Standards and Appeals for approval of a method of construction known as Simplex Ceilings for use in acoustical treatment of ceilings under the requirements of sections C26-191.0 (2.2.3) and C26-178.0 b (2.1.2.5.6), Administrative Building Code.

Simplex Ceilings.

Galvanized iron strap hangers ($\frac{1}{8}$ in. x 1 in.) sus-

MINUTES

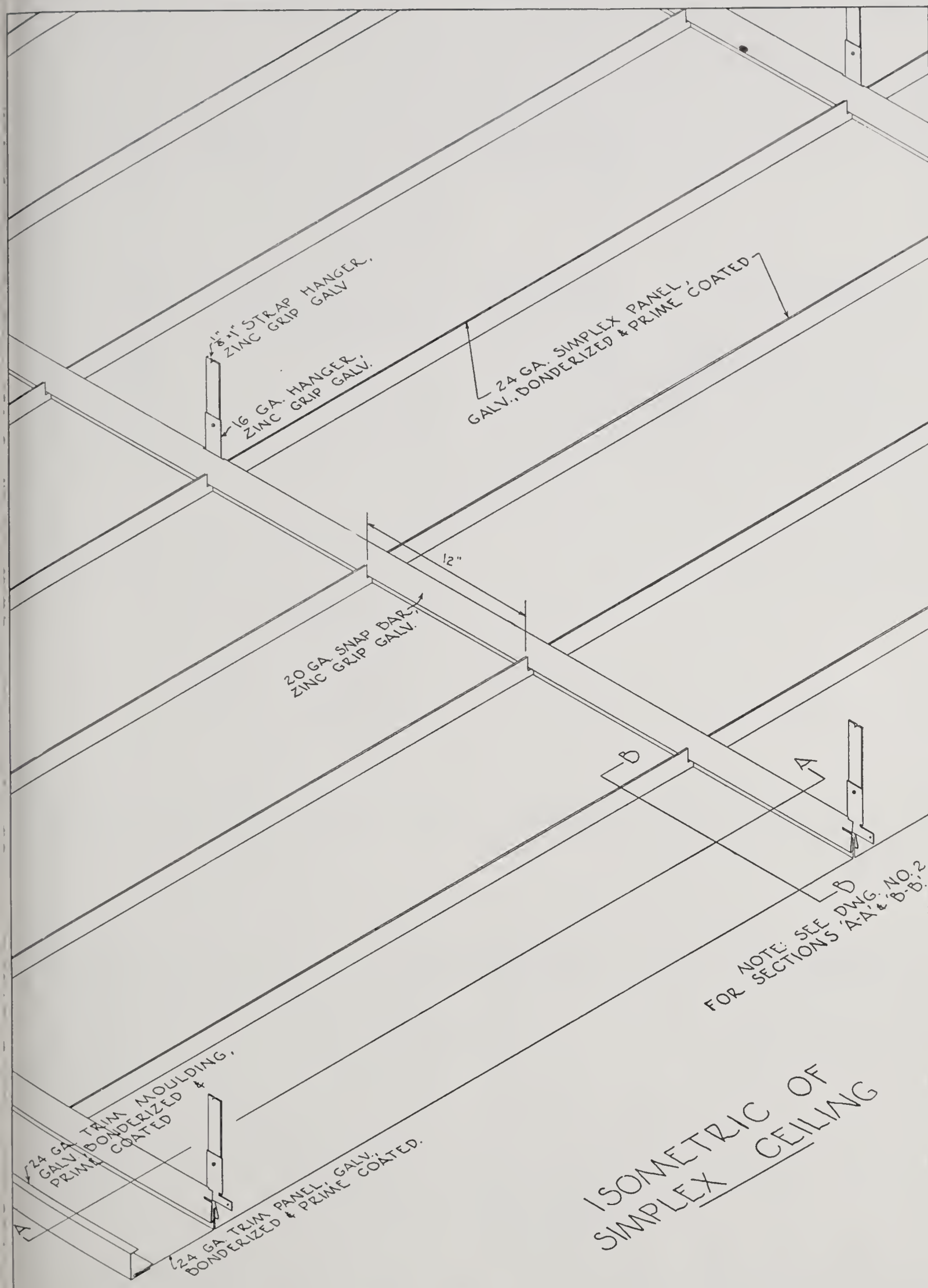


Figure 1

MINUTES

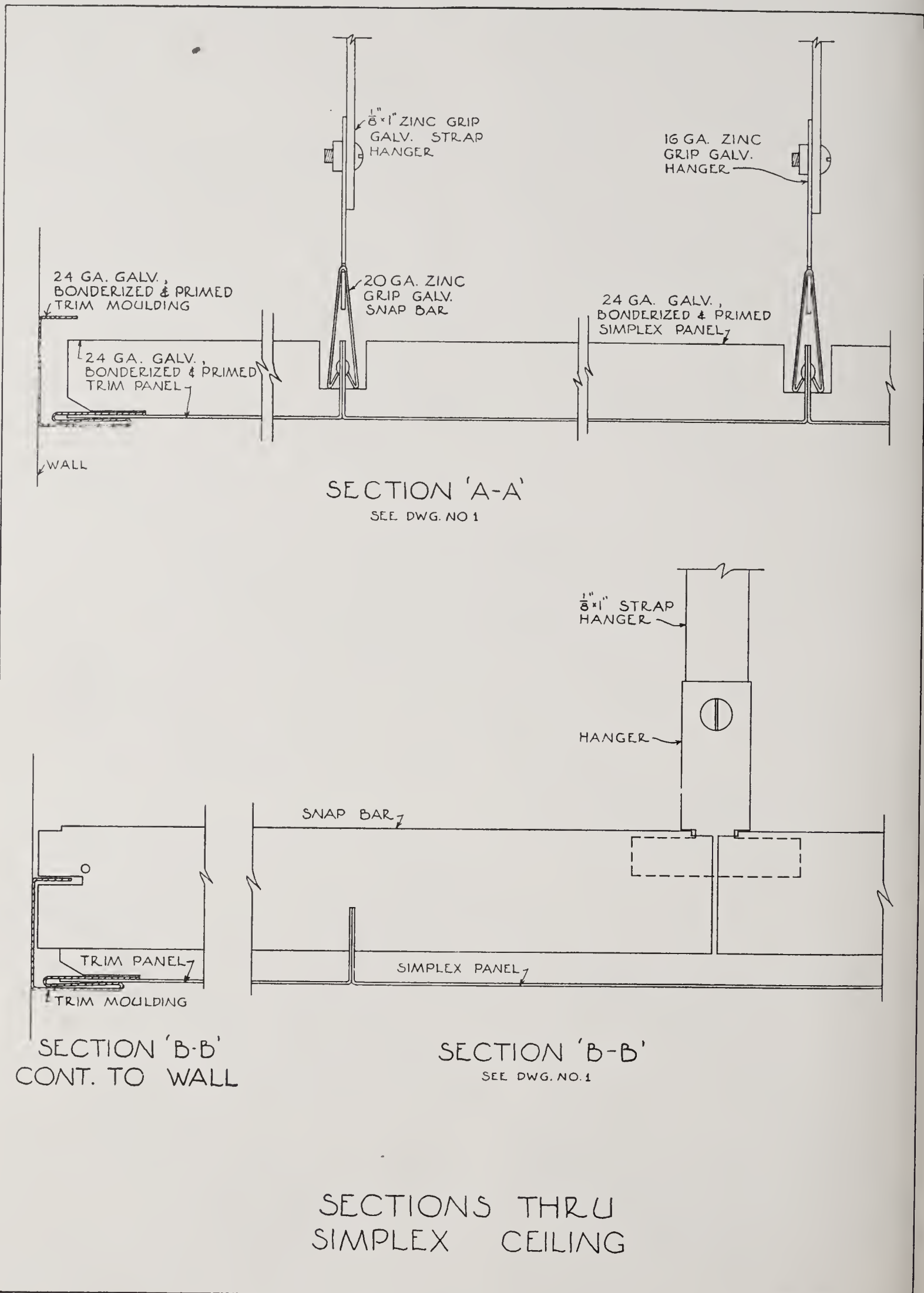


Figure 2

MINUTES

pend supporting "Snap Bar" runners from the ceiling. The strap hangers are secured to the ceiling by means of expansion shields and to the "Snap Bar" runners with galvanized bolts and 16 gauge galvanized "T" hangers. "Snap Bar" runners are of 20 gauge galvanized metal formed in an inverted "V", 2 in. deep, with locking projections in the inside of the legs. Pre-formed panels of 24 gauge flat steel 12 in. wide and of suitable lengths are interlocked with the supporting "Snap Bar" runners and fastened to each other to form the surface of the ceiling (see Figure 1 and Figure 2). A galvanized steel moulding with slip joint provision is used at vertical intersections. All parts of the entire structure are hot dipped galvanized and the exposed surfaces are bonderized and prime coated at the factory with "Arco" tetanium oxide primer.

A sample assembly of the materials used was submitted with the application and consists of two snap bar runners, a tee hanger and three sections of Acoustimetal panelling, one of which is perforated. Acoustimetal, an acoustical material for use with this method, has already been approved under Cal. No. 985-40-SM.

On the basis of the foregoing data and of an examination of the sample assembly submitted, the Committee on Tests recommends the approval of the Simplex Ceilings (Figure 1 and Figure 2) under C26-178.0 b (2.1.2.5 b) and C26-191.0 (2.2.3), when applied and constructed of materials as specified herein and for use with Acoustimetal (approved under Cal. No. 985-40-SM).

It is further recommended that each panel comprising this system be stenciled or marked on the unexposed side, reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 851-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Simplex Ceilings, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

GENERAL RESOLUTION.

4-39-GR.

APPLICANT—L. L. Graham.

SUBJECT—Application for consideration—reopening and amendment—re General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Cal. No. 1139-39-GR.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—General resolution reopened and amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1464-39-GR)

WHEREAS, this resolution, approving certain applicants as approved inspection agencies, was adopted by the Board on September 18, 1939; and

WHEREAS, the resolution was amended April 16, 1940, to include approval of L. L. Graham as an approved inspection agency; and

WHEREAS, L. L. Graham requested reopening and amendment of the resolution so as to rescind the approval granted to him.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of April 16, 1940, rescinding the action therein taken as to Mr. L. L. Graham, without prejudice to his reinstatement in the event that he is available upon renewed application.

AREA FIXED.

(377-40-BZ)

WHEREAS, the Board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit in an unrestricted use district, pursuant to section 7g of the building zone resolution, the parking and storage of more than five (5) motor vehicles on a street between intersecting streets, in which portion there exists an entrance to or exit from a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 9 to 19, inclusive), Long Island City, Borough of Queens.

Resolved, that the following area be and it hereby is fixed:

"Both sides of 49th avenue from a point 400 ft. east to a point 400 ft. west of premises in question; the south side of 48th avenue from a point 100 ft. east to a point 100 ft. west of the premises in question; the southeasterly side of Jackson avenue from its intersection with East avenue to a point 62.91 ft. southwest of such intersection."

Adjourned, 5:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on October 1, 1940, as they appeared in Bulletin No. 41, Volume 25, are hereby corrected to read as follows:

THE RESOLUTION—

(528-40-BZ)

WHEREAS, Lama and Proskauer, for Herman O. Behn, owner, filed May 16, 1940, an application under sections 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the alteration of a building and extension of a gasoline service station, brake service station, lubritorium and store use; premises 114-20 101st avenue, southwest corner of 115th street (Block No. 9432, Lot No. 8), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 1, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 101st avenue is in a business use district; that 115th and 114th streets are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 723-40, dated May 8, 1940, reads:

"2. The extension of the gasoline station, brake service, lubritorium and store partially within business

MINUTES

and partially in residence districts are contrary to Art. 2, Sec. 3 and 4 Building Zone Res. Application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 42 ft. on 101st avenue and 107 ft. on 115th street; the southerly portion of the plot extends for a distance of approximately 7 ft. into the residence use district, while the remainder of the plot is in a business use district; upon the plot there is a group of non-fireproof buildings, occupied as stores, office, brake service station and garages; there is a 550-gallon storage tank and pump located in one of the garage structures; it is proposed to remove and to relocate the street walls of the 101st avenue front of the buildings, to relocate the tank and pump, and to use the resulting space, 23 ft. by 42 ft. in area, as a gasoline service station and, also, to alter and convert the occupancy of the other buildings on the site to a brake service station, lubritorium and three-car garage; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, to permit the reconstruction of the legally existing gasoline service station, so as to provide a gasoline selling area towards 101st avenue, and to re-arrange the existing building substantially as indicated on plans marked "Received September 25, 1940," on condition that the walls on the street front shall be faced with face brick and maintained unpainted; that the gasoline selling area shall be cement-paved; that the existing gasoline pumps shall be removed and new pumps shall be installed not nearer than 15 ft. to the street building line of 101st avenue, nor 10 ft. to the street building line of 115th street; that curb cuts shall be restricted to one curb cut, not over 32 ft. in width, on 101st avenue, no portion of which curb cut to be nearer than 5 ft. to side lot lines as projected; that curb cuts on 115th street shall be restricted to one not over 25 ft. in width to gasoline selling area, no part of which shall be nearer than 5 ft. to building line as projected, and one not over 22 ft. in width for access to proposed laundry; that all other parts of the curb shall be restored and the sidewalk paving restored or reconstructed; that the existing boiler-room below grade shall be separated

from other parts of the building by fireproof construction and enterable only from the exterior; that other than the boiler room there shall be no open excavation below grade except the pit for brake-testing; that the existing cellar, shown under a portion of the building, shall be completely filled to grade; that the boiler-room shall be used for no other purposes than heating; that gasoline tank storage shall be limited to three (3) 550-gallon tanks; that these premises shall be used for no other purposes than has been previously legally permitted and as permitted herein, including brake service and minor repairs that can be done by hand tools only; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline sold and permitting such sign to extend beyond the building line near the intersection of 101st avenue and 115th street not more than 4 ft.; that there shall be no openings between the building and adjacent properties; that there may be, however, openings in the rear of lubritorium space, provided same are filled with approved fire-resisting glass blocks complying with the requirements of the Building Code and with no section openable; that no new skylight shall be installed nearer than 10 ft. to the side or rear lot lines; that there shall be no openings between the store and lubritorium and brake-testing space except for two doors, which shall be fireproof and self-closing, and except that other openings may be maintained provided same are filled with approved fire-resisting glass blocks as herein permitted for rear wall; that no portable gasoline pump shall be used on or from the premises; that there shall be no parking or storage of cars other than those being serviced; that there shall be erected at the intersection of 101st avenue and 115th street a block of concrete not less than 1 ft. in height and not less than 5 ft. along either building line; that said block may be triangular in shape; that complete working drawings shall be submitted prior to the filing with the borough superintendent of buildings, for approval by the chairman in behalf of the Board in compliance with the terms of this resolution, such plans to be filed within one (1) month after approval of this action and that all work shall be completed within one (1) year from the date of such approval of plans.

* Correction—The words "building line of 101st avenue nor 10 ft. to the street" inserted after line 60 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

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DOCKET.

New Cases Filed up to November 12, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
1064-40-A.....	H.B.B.....	201-209 Duffield street and 106-108 Willoughby street, south-east corner (Block No. 2077, Lot No. 24), Borough of Brooklyn, Decision—re Zone Viol. 269-40.
1065-40-A.....	F.D.....	327 Bowery, south side, 25 ft. north of East 2nd street (Block No. 458, Lot No. 2), Borough of Manhattan, 21952-L.C. and Decision.
1066-40-A.....	H.B.B.....	9901 Shore road, southeast corner of 99th street (Block No. 6133, Lot Nos. 11 and 13), Borough of Brooklyn, Amendment to N.B. 952-40.
1067-40-A.....	F.D.....	1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan, 23346-L.C. and Decision.
1068-40-A.....	F.D.....	118 Nassau street, east side, 116.9 ft. north of Ann street (Block No. 92, Lot No. 26), Borough of Manhattan, 8924-L.F. and Decision.
1069-40-SM.....		Neva-Burn Flameproofing for Textiles (Liquid or Powder Form), manufactured by Herzberg's Fine Art Dyeing, Incorporated, Material.
1070-40-BZ....	H.B.Q.....	89-39 to 89-45 162nd street, east side, 384 ft. north of Jamaica avenue (Block No. 9761, Lot Nos. 21 and 23), Jamaica, Borough of Queens, Misc. Applic. 4878-40.
1071-40-BZ....	H.B.M....	428 West 45th street, south side, 400 ft. east of Tenth avenue (Block No. 1054, Lot No. 48), Borough of Manhattan, Decision—re Certificate of Occupancy.
1072-40-A.....	F.D.....	622-624 Broadway, east side, 141.59 ft. north of East Houston street (Block No.

522, Lot No. 5), Borough of Manhattan, 23674-L.C.

1073-40-A.... H.B.Q..... 171-03, 171-07, 171-11, 171-15, 171-19, 171-23 and 171-29 Underhill avenue, north side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens,
N.B. 5756-40 to N.B. 5762-40, inclusive.

1074-40-BZ.... H.B.B..... 19-31 McDonald avenue, east side, 148 ft. 8 $\frac{3}{8}$ in. south of 20th street (Block No. 895, Lot No. 8), Borough of Brooklyn, N.B. 2410-40.

1075-40-BZ.... H.B.Q..... 89-11 to 89-21 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot Nos. 18, 21 and 22), Jamaica, Borough of Queens,
Misc. Applic. 354-40.

Restored to Calendar.

712-38-BZ.... H.B.B..... 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn, Alt. 8237-38.

295-29-SA..... Heil Combustion Oil Burner, additional model, Heil Activ-Flame Oil Burner, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Certificates of Occupancy, approved form	Aug.	23, 1938—Vol. 23, No. 34
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Vacuum Breakers	Sept.	10, 1940—Vol. 25, No. 37

NOVEMBER 19, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 19, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 297-40-BZ—Application, March 20, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of The Mutual Life Insurance Company, owner (Louwer Garage Corporation, lessee), to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

CAL. NO. 362-34-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1230 Jerome Avenue Corporation, owner, reopened October 8, 1940, for consideration as to extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period; premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1090-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 843-40-BZ—Application, August 6, 1940, under section 7c of the building zone resolution, of Daer Properties, Incorporated, applicant and owner, to permit in a residence use district, extending from a business use district, the alteration of an existing multiple dwelling with stores on the first story, so as to provide additional store use in the residence use district; premises 147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 398-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Nuarb Realty Company,

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owner, to permit in an "F" area, residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

CAL. NO. 399-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required width and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

CAL. NO. 400-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

CAL. NO. 401-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Anthony M. DeRose, applicant, on behalf of Marie Braun, owner, to permit in an "F" area, residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

CAL. NO. 925-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Gelson Realty Corporation, owner, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district; premises 4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use

district the alteration and reconstruction of an existing gasoline service station premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in residence use district the erection and maintenance of a gasoline service station (previously denied by the Board) premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-02 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 562-32-BZ—Application of Lama and Proskauer applicants, on behalf of Silgreen Holding Corporation, owner, reopened November 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period; premises 208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

CAL. NO. 672-40-BZ—Application, June 20, 1940, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Mary DuBritz and Rose DuBritz, owners (Colonial Beach Oil Company, lessee), to permit in business use district the removal of existing building and replacement with new buildings and relocation of pump on an existing gasoline service station premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened June 4, 1940, under sections 7 and 21 of the building zone resolution to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to store motion picture theatre with marquees and signs, extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

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Appeals from Administrative Decisions.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 19, 1940, 2 P. M.

Appeals from Administrative Decisions.

382-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

003-40-A—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

074-40-A—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

062-40-A—East side of Smith street, from Halleck to Sigourney streets (Block No. 493, Lot No. 1), Borough of Brooklyn.

58-40-A—321-331 East 70th street, north side, 175 ft. west of First avenue (Block No. 1445, Lot Nos. 14 to 19, inclusive), Borough of Manhattan.

76-40-A—5073-5075 Broadway, west side, 238.64 ft. south of West 218th street (Block No. 2243, Lot No. 266), Borough of Manhattan.

86-40-A—1768-1782 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30, inclusive), Borough of Brooklyn.

66-40-A—3 Vestry street, south side, 20 ft. west of Varick street (Block No. 220, Lot No. 21), Borough of Manhattan.

70-40-A—215 Ryerson street, east side, 425 ft. north of DeKalb avenue (Block No. 1920, Lot No. 16), Borough of Brooklyn.

92-40-A—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.

57-40-A—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.

33-40-A—827 Sixth avenue, west side, 38.8 ft. south of West 29th street (Block No. 804, Lot No. 40), Borough of Manhattan.

884-40-A—136-138 West 24th street, south side, 298 ft. east of Seventh avenue (Block No. 799, Lot No. 60), Borough of Manhattan.

889-40-A—22-24 Jones street, south side, 140 ft. east of Bleecker street (Block No. 590, Lot No. 16), Borough of Manhattan.

911-40-A—5312-5316 Fifth avenue, north side, 50 ft. 2 in. east of 54th street (Block No. 815, Lot Nos. 42, 43 and 44), Borough of Brooklyn.

912-40-A—1281 Broadway, north side, 229 ft. 3 in. west of Grove street (Block No. 3293, Lot No. 25), Borough of Brooklyn.

913-40-A—7408-7410 Fifth avenue, west side, 67 ft. 1¾ in. south of 74th street (Block No. 5930, Lot No. 40), Borough of Brooklyn.

924-40-A—416-418 Knickerbocker avenue, west side, 50 ft. south of Himrod street, and 222 Himrod street (Block No. 3278, Lot No. 28), Borough of Brooklyn.

936-40-A—31 West 71st street, north side, 220 ft. west of Columbus avenue and Central Park West (Block No. 1124, Lot No. 18), Borough of Manhattan.

955-40-A—1026 41st avenue, south side, 250 ft. west of East 12th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

957-40-A—32 Laight street, north side, 120 ft. west of Varick street (Block No. 220, Lot No. 42), Borough of Manhattan.

979-40-A—365 Broadway, northwest corner of Franklin street (Block No. 175, Lot No. 33), Borough of Manhattan.

1047-40-A—52-54 Sands street, northeast corner of Adams street (Block No. 86, Lot Nos. 7 and 8), Borough of Brooklyn.

1068-40-A—118 Nassau street, east side, 116.9 ft. north of Ann street (Block No. 92, Lot No. 26), Borough of Manhattan.

1066-40-A—9901 Shore road, southeast corner of 99th street (Block No. 6133, Lot Nos. 11 and 13), Borough of Brooklyn.

1033-40-A—171-04 to 171-44 Pidgeon Meadow road, south side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

1034-40-A—49-06 Fresh Meadow lane, west side, between Auburndale avenue and Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

1035-40-A—48-11 and 48-15 171st street, east side, 103.99 ft. south of Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

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1036-40-A—48-12 171st street, west side, 93.59 ft. south of Pidgeon Meadow road (Block No. 5375, Lot No. 48), Flushing, Borough of Queens.

1037-40-A—170-28 to 170-44 Pidgeon Meadow road, southwest corner of 171st street and south side of Pidgeon Meadow road, 31 ft., 69.5 ft. and 108 ft. west of 171st street (Block No. 5575, Lot No. 48), Flushing, Borough of Queens.

1038-40-A—170-04 to 170-20 Pidgeon Meadow road, southeast corner of 170th place and south side of Pidgeon Meadow road, 40 ft., 80 ft. and 120 ft. west of 170th place (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.

1039-40-A—48-11 170th street, south side, 88.38 ft. west of Pidgeon Meadow road (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.

1059-40-A—80-04, 80-08 and 80-12 193rd street, northeast corner of Union Turnpike and west side of 193rd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.

1060-40-A—80-03, 80-07 and 80-11 192nd street, northeast corner of Union Turnpike and east side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.

1061-40-A—80-04, 80-08 and 80-12 192nd street, northwest corner of Union Turnpike and west side of 192nd street, 40 ft. and 80 ft. south of Union Turnpike (Block No. 7272, Lot No. 1), Flushing, Borough of Queens.

1079-40-A—100-102 Worth street, south side, 175 ft. east of Broadway (Block No. 157, Lot No. 12), Borough of Manhattan.

1045-40-A—358-372 West 31st street and 362-370 Ninth avenue, southeast corner (Block No. 754, Lot No. 78), Borough of Manhattan.

1076-40-A—161 West 36th street and 485 Seventh avenue, northeast corner (Block No. 812, Lot No. 1), Borough of Manhattan.

1087-40-A—865 Tenth avenue and 500 West 57th street, southwest corner (Block No. 1085, Lot No. 36), Borough of Manhattan.

939-40-A—128 Flushing avenue, southwest corner of Clermont avenue (Block No. 2032, Lot No. 29), Borough of Brooklyn.

1077-40-A—468 East 54th street, west side, 140 ft. north of Beverly road (Block No. 4738, Lot No. 27), Borough of Brooklyn.

1082-40-A—444 86th street, south side, 337 ft. 13/8 in. east of Fourth avenue (Block No. 6045, Lot No. 24), Borough of Brooklyn.

1089-40-A—33 Exeter street, east side, 256 ft. south of Shore road (Block No. 7516, Lot No. 1272), Borough of Brooklyn.

1092-40-A—388-390 Court street, southwest corner of Carroll street (Block No. 356, Lot No. 24), Borough of Brooklyn.

1093-40-A—1807 Bath avenue, northwest corner of Bay 19th street (Block No. 6403, Lot No. 1), Borough of Brooklyn.

1073-40-A—171-03 to 171-29 Underhill avenue, north side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

670-40-A—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re Bed of Mapped Street).

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 19, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 1530-39-BZ—Application, December 21, 1939, under section 21 of the building zone resolution, of Morris Perlstein, applicant, on behalf of Providence Marino, owner (Harold Holzhauser, lessee), to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 26, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 424-17-BZ—Application of John T. Dooling, applicant and owner (Fordham Motor Sales, Incorporated, lessee), reopened September 12, 1939, under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a motor vehicle repair shop;

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premises 565 East Fordham road and 2545 Hoffman street, northwest corner (Block No. 3273, Lot No. 293), Borough of The Bronx.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, reopened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

CAL. NO. 690-40-BZ—Application, June 25, 1940, under section 7h of the building zone resolution, of John McBride, applicant and lessee, on behalf of Fordbrad Realty Company, Incorporated, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-06 Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 416-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of William Sambur, applicant, on behalf of Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

CAL. NO. 1321-39-BZ—Application, October 26, 1939, under sections 7h and 21 of the building zone resolution, of Anna Weschler, applicant and lessee, on behalf of Bernard Flood, owner, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuhs Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

CAL. NO. 695-40-BZ—Application, June 24, 1940, under section 21 of the building zone resolution, of Abraham Green, applicant, on behalf of Manhattan Storage and Warehouse Company, owner, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles; premises 148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan.

CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 224-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Hanover Service Station, Incorporated, owner, reopened September 17, 1940, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

CAL. NO. 1182-39-BZ—Application, September 26, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Post Sherman Corporation, owner (Abraham Rubenstein, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 26, 1940, 2 P. M.

Appeal from Administrative Decision.

994-40-A—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 13, 14, 15 and 22), Borough of Brooklyn.

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DECEMBER 3, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

- CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.
- CAL. NO. 285-36-BZ—Application of Frederick W. Rothamel, applicant, on behalf of Otto Gebhardt, owner (Revonah Laundry, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit in a business use district the storage of more than five (5) motor vehicles (previously granted on condition—re change of occupancy of an existing building to a garage for more than five (5) motor vehicles, motor vehicle repair shop and, also, gasoline service station); premises 72-27 Cypress Hills street, northeast side, 199.41 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens.
- CAL. NO. 879-40-BZ—Application, August 30, 1940, under section 21 of the building zone resolution, of H. I. Feldman, applicant, on behalf of Boiaz Realty Corporation, owner, to permit in a residence use district the alteration and conversion of occupancy of part of a multiple dwelling to business use (stores); premises 2081 Grand Concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx.
- CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.
- CAL. NO. 512-40-BZ—Application, May 14, 1940, under sections 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of a building to a motor vehicle repair shop; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue, and 1409 Blondell avenue (Block No. 4074, Lot Nos. 22 and 29), Borough of The Bronx.
- CAL. NO. 97-37-BZ—Application of Theodore R. Feinberg, applicant, on behalf of Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee), reopened October 8, 1940, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.
- CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.
- CAL. NO. 951-40-BZ—Application, October 1, 1940, under section 7c of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Italian Center of Queens, Incorporated, owner, to permit in a business use district, extending into a residence use district, the erection of a building to be used as office, auditorium, banquet rooms, club rooms and kitchen; premises 102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.
- CAL. NO. 1028-40-BZ—Application, October 24, 1940, under sections 21 and 7a of the building zone resolution, of Aymar Embury II, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the alteration and extension of business buildings used in conjunction with a race track; premises 163-24 and 165-10 Baisley boulevard, south side, 200 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

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Appeals from Administrative Decisions.

1029-40-A—165-10 Baisley boulevard, south side, 480 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street).

1019-40-A—102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Charman.*

DECEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 260-40-BZ—Application, March 5, 1940, under section 7i of the building zone resolution, of Paul Carchiolo and Nils Jensen, applicants and lessees, on behalf of Sadie Rosen, owner, to permit on the business portion of a plot, located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 5501-5513 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn.

CAL. NO. 521-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution, of Abraham Saul, applicant and owner, to permit in a residence use district and, also, "E" area district, the maintenance of an extension at the rear of the second story of an existing dwelling; said extension does not comply with "E" area requirements; premises 1818 East 29th street, west side, 126 ft. south of Avenue R (Block No. 6834, Lot No. 10), Borough of Brooklyn.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period

of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 1016-40-BZ—Application, October 23, 1940, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Kauffman Lewenthal Realty Company, owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store); premises 649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan.

CAL. NO. 278-40-BZ—Application of William R. Altman, applicant, on behalf of One Jumel Realty Corporation, owner, reopened November 8, 1939, under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) from garage use to a motor vehicle repair shop; premises 441 West 167th street and 1 Jumel place, northeast corner (Block No. 2112, Lot No. 58), Borough of Manhattan.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 10, 1940, 2 P. M.

Appeal from Administrative Decision.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

WEDNESDAY MORNING, NOVEMBER 13, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, October 29, 1940 and the regular meeting of the Board held on Tuesday afternoon, October 29, 1940, were approved as printed in Bulletin No. 45, Volume 25.

BUILDING ZONE CASES.

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation owner (Community Amusement Corporation, lessee).

SUBJECT—Application reopened June 4, 1940 (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Lawrence Guion.

ACTION OF BOARD—Laid over to November 19, 1940 at 10 A.M. for inspection by a committee of the Board.

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1939 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to November 19, 1940 at 10 A.M. for applicant to file revised plans.

329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Inc., owner.

SUBJECT—Application reopened July 2, 1940 (re decision of the borough superintendent of buildings) under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district, the erection of an extension to be used for business purposes (store), to an existing building used for multiple dwelling with stores, located partly in a business use district and partly in a residence use district and previously granted by the Board.

PREMISES AFFECTED—888 Grand concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and A. D. Rubin.

For Opposition: Alice Spirer and Eliot E. Besk-wit.

ACTION OF BOARD—Laid over to November 26, 1940 at 10 A.M. for further consideration by the Board.

224-38-BZ.

APPLICANT—Lama and Proskauer, for Hanover Service Station, Inc., owner.

SUBJECT—Application reopened September 17, 1940 (re decision of the borough superintendent of buildings) under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied by the board under section 21 of the building zone resolution).

PREMISES AFFECTED—32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Irving S. Fink and Joseph Sacke.

For Opposition: None.

ACTION OF BOARD—Laid over to November 26, 1940 at 10 A.M. for further consideration as to plans.

1182-39-BZ.

APPLICANT—Henry Nordheim, for Post Sherman Corporation, owner (Abraham Rubenstein, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Abraham Rubenstein.

For Opposition: Earl I. Gallant.

Amicus curiae: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to November 26, 1940 at 10 A.M. for additional information and further consideration by the Board.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use and F area district, the erection and maintenance of a building to be used as a gas station, auto laundry, lubricatorium, office and boiler room in conjunction with a gasoline service station, on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to December 3, 1940 at 10 A.M. for applicant to further revise plans and file same with the Board.

672-40-BZ.

APPLICANT—Joseph B. Lynch, for Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee).

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SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the removal of existing buildings and replacement with new buildings and relocation of pumps on an existing gasoline service station.

PREMISES AFFECTED—413-419 Empire boulevard and 458-464 New York Avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 19, 1940 at 10 A.M. on written request of applicant.

443-40-BZ.

APPLICANT—Jack Z. Cohen, for Depreciation Fund Board, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Samuel Turner, Mortimer R. Hermann, Fred B. Merkle, Harry Korber, John Bailey, E. Pearlman and others.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative: 0

THE RESOLUTION—

(443-40-BZ)

WHEREAS, Jack Z. Cohen, for Depreciation Fund Board, owner, filed on April 26, 1940, an application under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn; and

WHEREAS, at the public hearing there was no appearance made on behalf of the applicant.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

968-24-BZ.

APPLICANT—Arnold W. Lederer, for Abraham Chobroff and Sophie Kohn, owners of premises 1924-1926 Kings highway, Borough of Brooklyn.

SUBJECT—Application reopened September 17, 1940 for consideration as to amendment of resolution—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of buildings to be used for store purposes on first story and for dwelling use above.

PREMISES AFFECTED—1922-1932 Kings highway, south side, 47 ft. 8 $\frac{1}{2}$ in. south of Ocean avenue (Block No. 6782, Lot Nos. 19 to 23 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy. 4

Negative: 0

THE RESOLUTION—

(968-24-BZ)

WHEREAS, this application, to permit in a residence use district the erection and maintenance of buildings to be used for store purposes on the first story and as residence use above, under section 21 of the building zone resolution, premises 1922-1926 and 1930-1932 Kings highway and 2110 Ocean avenue, Borough of Brooklyn, was granted by the Board February 17, 1925, on certain conditions; the resolution amended from time to time, and last amended May 16, 1939; and

WHEREAS, Arnold W. Lederer, for Abraham Chabroff and Sophie Kohn, owners of premises 1924-26 Kings highway, Borough of Brooklyn, requested amendment to the resolution so as to permit the erection of a one story extension at the rear of the building; premises 1922-32 Kings highway, south side, 47 ft. 8 $\frac{1}{2}$ in. south of Ocean avenue (Block No. 6782, Lot Nos. 19 to 23, inclusive), Borough of Brooklyn; and

WHEREAS, this application was reopened by vote of the Board September 17, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway on the south side from a point approximately 200 ft. west of Ocean avenue, is in a business use district; that Kings highway on the east side is in a business use district; that Ocean avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent on Alteration Application No. 6525-40, dated September 12, 1940, reads:

"The original application for these premises was conditionally approved by the Board of Standards and Appeals Cal. No. 968-24-BZ. Any change of occupancy or extension must be submitted to the Board for approval."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 115 ft. on Ocean avenue and a depth along Kings highway of 28 ft. 8 $\frac{1}{8}$ in., on which there exists a two story building 94 ft. 2 in. by 28 ft. 8 $\frac{1}{8}$ in. in area; it is proposed to construct an extension by an addition to part of the first story; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 17, 1925, as amended from time to time through the resolution adopted by the Board on May 16, 1939, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby reinstate its action of May 5, 1925, and does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, restricted to business use of retail stores on the ground floor only, and only so far as it affects the frontage facing on Kings highway, *on condition* that the upper stories of the building shall be restricted to dwelling use and occupancy; the store fronts or show windows shall start at a point not less than 12 in. from the Ocean avenue building line; that there shall be no stores or business use evidenced or displayed on the Ocean avenue front of the structure; that there shall be no advertising signs or display of any nature or description on the Ocean avenue front, and that any advertising

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signs or display on the Kings highway front shall be restricted to lettering placed directly on show windows of the store fronts, and to permanent flat signs attached to the building above the show windows and below the sills of the 2nd story windows, applying to each of the five stores and as shown on plan marked 'Received May 8, 1939'; that in all other respects the resolution of the board as amended on February 15, 1938, shall be complied with; that there shall be no entrance on the Ocean avenue front other than those required for the dwelling use above; that the exterior of the street walls on Kings highway and Ocean avenue front, other than the show windows of the stores on the Kings highway front, shall be finished in face brick with architectural terra cotta or natural stone trimmings; that any windows on the Ocean avenue front, except those opening directly to living apartments, shall have sills not less than 6 ft. above grade; that a return drawing shall be made to this board of the proposed elevations for approval before submission to the superintendent of buildings; and *further granted on condition* that the requirements of the building zone resolution shall be complied with in all other respects as to rear yard and area requirements.

Resolved further, that in the event the owner desires to alter the store front of the building known as 1928 Kings highway in accordance with plan marked 'Received February 14, 1938,' as filed with the superintendent of buildings under Applic. No. 1316 of 1938, such alteration may be done on condition that the requirements are complied with and that the terms of this resolution will be complied with in all respects.

"Resolved further, that the building located at 1924 Kings highway may be extended by an addition to the existing one-story garage at the rear, as indicated on plans marked 'Received October 8, 1940', and such building may be used as an extension of the bakery located at 1926 Kings highway, on condition that this building shall meet in all respects all laws, rules and regulations applicable thereto; that it shall not encroach upon the requirement easement of 12 feet at the rear; that a yard space, as shown, shall be left open and unbuilt upon between such extension and the existing building on Lot 20, at 1924 Kings highway; that the oven in this extension shall be used only for emergency purposes and only in the event that the main oven at 1926 Kings highway is temporarily not in working condition; that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

879-38-BZ.

APPLICANT—Louis Marabini, for Columbia University, Presbyterian Church, New York Public Library and Metropolitan Museum of Art, owners.

SUBJECT—Application reopened and restored to Calendar October 29, 1940 (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, the maintenance of the parking and storage of more than five (5) motor vehicles on a plot occupied, in part, by a building used for body and fender repairs and brake and ignition service (previously dismissed for lack of prosecution).

PREMISES AFFECTED—31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Theodore Garris, Louis Marabini and Herman Joller.

For Opposition: Edith Firman and Anna Marks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative: 0

THE RESOLUTION—

(879-38-BZ)

WHEREAS, this application, to permit in a business use district, under sections 7h and 21 of the building zone resolution, the parking and storage of more than five (5) motor vehicles, premises 31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens, was dismissed for lack of prosecution June 27, 1939; and

WHEREAS, Louis Marabini, for Columbia University, Presbyterian Church, New York Public Library and Metropolitan Museum of Art, owners, requested reopening of the application and restoration to the calendar; and

WHEREAS, this application was reopened by vote of the Board October 29, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st street and Broadway are in business use district; 32nd street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent (re Corr. 579-1938) dated October 23, 1940, reads:

"Your request for an amendment to C. O. No. 2716 which permits 'Body and fender repairs also brake and ignition service' to read 'Body and fender repairs brake and ignition service and parking and storage of more than five motor vehicles' is denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 151.4 ft. and a depth of 80 ft. 10 in. Upon the rear of the plot there is located a one-story metal structure 16 ft. by 18 ft. in area, occupied as an auto service shop. It is proposed to use the remainder of the plot for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles.

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, sub-division h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises under appeal, Block No. 613, Lot No. 13, with a frontage of 151 ft. on 31st street, to be occupied for the storage and parking of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of 31st street and shall be surfaced with steam cinders, clean gravel or other suitable surfacing material; that during the term of this permit the premises shall be used for no other use other than the parking and storage as herein permitted; that all buildings heretofore permitted shall be removed and all uses previously permitted discontinued; that no building shall be erected on the premises other than a building which may be erected as an office and shelter for the attendant provided such building does not exceed one story in height and 150 ft. in area, and which may be of frame construction; that there shall be erected on the interior lot lines a substantial woven-wire chain link fence not less than 6 ft. in height supported by anchored steel posts; that a similar fence may be erected along the building line of 31st street with not more than

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one opening therein for entrance and egress; that such entrance shall not exceed 15 ft. with curb cut opposite of similar width; that proper aisles shall be maintained at all times for easy entrance and egress of cars; that a space not less than 18 in. shall be maintained between alternate rows of cars; that signs shall be restricted to one sign near the entrance attached to the fence not exceeding 15 sq. ft. in area, advertising the parking and storage use; that such sign shall not be illuminated and shall not extend beyond the building line; that any lights maintained for general illumination shall be on post standards with metallic reflectors so arranged as to reflect toward the center of the plot and away from the adjoining residential occupancy; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

1289-39-BZ.

APPLICANT—Charles Gomes (lessee), for Port of New York Authority, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 21 and 7h of the building zone resolution, to permit in a retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip Schlissel.

For Opposition: Jacob J. Tabolt.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative: 0

THE RESOLUTION—

(1289-39-BZ)

WHEREAS, Charles Gomes (lessee), for Port of New York Authority, owner, filed October 17, 1939, an application under sections 21 and 7h of the building zone resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 35th street is in a retail use district; West 36th street in an unrestricted use district; Ninth and Tenth avenues are in retail and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent, on application for a certificate of occupancy, dated September 20, 1939, reads:

"With reference to your application dated August 10, 1939 for a certificate of occupancy for the use of the above premises for parking and storage of more than five motor vehicles, you are advised that same has been denied as the premises are located in a retail district where this occupancy is prohibited by Section 4A of Article 2 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground fronting 50 ft. on West 35th street with a depth of 98 ft. 9 in., which it is proposed to use for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7-h thereof, for a term of two years from the date of this resolution, to permit the premises under appeal to be occupied for the parking and storage of motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of 35th street; that there shall be erected on the interior lot lines, where there had been already existing the walls of adjoining buildings, a substantial woven wire fence; that a similar fence shall be erected along the street building line of west 35th street with not over one opening therein, such opening not to exceed 15 feet in width; that said fence may be omitted on the rear lot line to the north, provided the adjoining lots, 50 and 51, located in the unrestricted district are used for a similar purpose in conjunction with this lot; that during the term of this permit the premises shall be used for no other use, and no building shall be erected thereon, except there may be erected a building not over 150 sq. ft. in area and one story in height, to be used as an office and shelter for the attendant; that such building may be of frame; that signs shall be restricted to a sign attached to the fence, advertising the parking and storage use, provided such sign does not exceed 15 sq. ft. and does not extend over the building line and is not illuminated; that the premises shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled; that proper aisles shall be maintained at all times for easy entrance and egress; that not less than 18 inches shall be maintained at all times between alternate rows of cars; that such portable firefighting appliances shall be maintained on the premises as the fire commissioner shall direct; that no lighting for general illumination shall be maintained; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

1493-39-BZ.

APPLICANT—Valentine Bangert (lessee), for Henry W. S. Bangert, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 (892), Lot Nos. 38 and 41), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Henry Bangert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative: 0

THE RESOLUTION—

(1493-39-BZ)

WHEREAS, Valentine Bangert, for Henry W. S. Bangert, owner, filed December 11, 1937, application under sections 7h and 21 of the building zone resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 88-05 and 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No.

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9820 (892), Lot Nos. 38 and 41). Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th place and 88th avenue are in residence and business use districts; 169th street and 89th avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent (re Misc. Application No. 9019-1939), dated November 20, 1939, reads:

"The use or occupancy of premises for parking of more than five (5) cars is contrary to Art. II, Sec. 3 Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 112.5 ft. and a depth of 100 ft. Upon the plot there are several buildings including a frame dwelling, a shop, storage sheds and individual garages; it is proposed to occupy the vacant portion of the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-h thereof, for a term of two years, to permit the unbuilt-upon portion of the premises to be occupied for the transient parking of motor vehicles, *on condition* that only those of the pleasure-car type shall be so parked; that during the term of this permit the premises shall be used for no other use than the parking herein permitted, and the existing uses in the present buildings; that the fences shall be maintained on the street building line and on the interior lot lines, and entrances shall be restricted to one from 168th place, as now existing; that no signs advertising the parking uses shall be exhibited, except there may be one sign attached to the fence near the intersection, advertising the transient parking use, provided such sign is not illuminated and does not extend beyond the building line, and does not exceed 15 sq. ft. in area; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

470-40-BZ.

APPLICANT—Lama and Proskauer, for William Cohn, owner (Jacob Newmark, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station, and also the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama, Samuel R. Rosenberg and Jacob Newmark.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative:	0

THE RESOLUTION—

(470-40-BZ)

WHEREAS, Lama and Proskauer, for William Cohn (Jacob Newmark, lessee), owner, filed May 3, 1940, an application under sections 7c and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district the extension of an existing gasoline service station, and also the parking and storage of more than five (5) motor vehicles; premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway and St. Nicholas avenue are in business use districts; that West 172nd street and West 171st street are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent, re amendment to Applic. No. N.B. 12-40, dated May 6, 1940, reads:

"1. The erection of a building and extension and rearrangement of a gasoline selling station or area for the sale of gasoline and the parking or storage of more than five motor vehicles is contrary to Sec. 4 for a Business District and not permitted in a residence District according to Sec. 3 of the Building Zone Resolution. Note that this plot is in a Business District and extends in a Residence District."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100.6 ft. on Broadway, 127.7 ft. on West 172nd street and a distance of 95 ft. along the east lot line; an irregular shaped area at the northeast portion of the plot is located in a residence use district, while the remainder of the plot is located in a business use district; it is proposed to extend the area of the existing gasoline service station, to demolish the structures in the existing gas station; to erect upon the proposed gas station a structure 61 ft. by 25 ft. in area to be used as office, lubricatorium and auto laundry, to install additional tanks and pumps, and to use the rear portion of the plot for the storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-c thereof, to permit the legally existing gasoline service station to be reconstructed and rearranged substantially as indicated on plans marked 'Received October 19, 1940', subject to changes as indicated on plans marked 'Received November 13, 1940', *on condition* that all existing buildings shall be entirely removed from the premises and the plot shall be leveled generally to the grade of Broadway and West 172nd street; that the accessory building shall be located toward the south central portion of the premises, as indicated, and shall be constructed throughout of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the roofs throughout are surfaced with natural slate and the ceilings are fire-retarded throughout, in accordance with the rules of the Board; that the main entrance door to the accessory building and the doors to the greasing section may have wood frames and wood doors, provided the greasing equipment is of the hydraulic type without open pits; that any windows in the accessory building, opening toward adjoining prem-

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ises to the south shall be fireproof and self-closing; that the boiler-room shall be constructed of fireproof material and separated from the balance of the accessory building and enterable only from the exterior; that the accessory building shall be constructed of face brick and left unpainted; that on the street building line of West 172nd street there shall be constructed a brick wall not less than 6 ft. in height from the easterly building line to a point 50 ft. from the intersection of Broadway and West 172nd street; that such wall shall be constructed of face brick on both sides, matching the brick of the accessory building, and shall be properly coped; that on the southerly building line brick closure walls shall be constructed along the line of the court and rear yard of the adjoining building to the south to a height of not less than 6 ft.; that gasoline pumps shall be not nearer than 15 feet to the street building line of Broadway, as indicated; that such pumps shall be of the type as approved by the Park Department for use on parkways; that gasoline storage tanks shall not exceed four (4) with a capacity of 550 gallons each; that planting shall be maintained along the southerly lot line, as indicated, with protecting curb not less than 6 in. in height and 6 in. in depth; that the balance of the plot not occupied by accessory building, pumps, walls and planting, shall be paved with Portland cement, Colprovia or other suitable impervious paving; that there shall be constructed at the intersection of Broadway and West 172nd street, a triangular block of concrete not less than 12 in. in height, extending for a distance of not less than 5 ft. from the intersection along both streets; that entrance to the premises shall be restricted to one from West 172nd street, for which the curb cuts shall not exceed 32 ft. and two (2) to Broadway, for which the curb cuts shall not exceed 30 ft. in width each; that no part of either curb cut shall be nearer than five (5) feet to the lot lines, as produced; that these premises shall be used for no other use than a gasoline service station and the parking and storage of automobiles of the pleasure-car type in the rear of the accessory building; that such parking space shall be arranged with proper aisles to permit easy entrance and egress, and a space of not less than 18 in. shall be left at all times between alternate rows of cars; that signs on the premises shall be restricted to permanent signs, attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line toward the south and near the street intersection of post standards, each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than 4 ft.; that there shall be no motor vehicle repairing on the premises; that no portable gasoline pumps shall be used on or from the premises; that the walls of adjoining premises to the east and south shall be stuccoed or painted and signs removed with the permission of adjoining owners; that prior to the filing of plans with the borough superintendent of buildings, complete working drawings shall be submitted for approval by the chairman in behalf of the Board; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

486-40-BZ.

APPLICANT—S. Walter Katz, for West 17th Street Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—254-256 West 17th street, south side, 152 ft. east of Eighth avenue (Block No. 766, Lot No. 75), Borough of Manhattan.

APPEARANCES—

For Applicant: Ludwig Hanuer and H. B. Miller.

For Opposition: Irwin Stern, Thomas J. Whalen, Norman Rahill, Harry Lippman and John T. Dooling.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(486-40-BZ)

WHEREAS, S. Walter Katz, for West 17th Street Realty Company, owner, filed May 7, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a motor vehicle repair shop; premises 254-256 West 17th street, south side, 152 ft. east of Eighth avenue (Block No. 766, Lot No. 75), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 17th street and West 16th street are in residence and business use districts; Eighth avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 4, 1940, reads:

"With reference to your application dated August 19th, 1940 for a certificate of occupancy for use of the above premises as an automobile repair shop we wish to advise you that certificate of occupancy to supersede No. 7418 to permit auto repair shop cannot be issued as building is located in a residence district where this occupancy is prohibited."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 34 ft. 8 in. and a depth of 74 ft.; upon the front of the plot there is located two one-story buildings and in the rear a sheet iron covered shed; it is proposed to occupy the premises as a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

544-40-BZ.

APPLICANT—Morris Perlstein, for Coney Island Soda Water Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7c of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage).

PREMISES AFFECTED—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Fireman and Morris Perlstein.

For Opposition: Rose Yagendorf.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(544-40-BZ)

WHEREAS, Morris Perlstein, for Coney Island Soda Water Corporation, owner, filed May 20, 1940, an application under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the erection of an extension to an existing building used for factory, storage, office and dwelling (the proposed extension to be used for storage); premises 2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue and Mermaid avenue are in business use districts; West 23rd street is in a residence and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2201-40, dated May 16, 1940, reads:

"1. Proposed extension of building for storage use on a lot partly in a business use district and partly in a residential use district is contrary to Article II, Sec. 3 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 38 ft. 9¾ in. on Neptune avenue, 115 ft. on West 23rd street and a depth of 118 ft. 9¾ in.; upon the plot there exists a two-story brick building, 38 ft. 9 in. by 95 ft. in area, located at the intersection of Neptune avenue and West 23rd street, and a two-story frame and masonry dwelling, located at the rear of the portion of the plot facing on West 23rd street (Lot No. 83), as shown on plans filed; it is proposed to alter the two-story frame and masonry dwelling and to erect a new one-story extension running from the front line of such dwelling to West 23rd street; the proposed extension will be 20 ft. by 76 ft. 3 in. in area and be used for the storage of empty boxes and bottles together with the existing dwelling; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit an extension of the proposed building into the more restricted district, *on condition* that the frame portion of the rear building and any portion thereof not within the lot lines shall be entirely removed; that the new building shall not exceed one story in height and shall not be constructed nearer than 5 ft. to the lot line of the adjoining lot to the south for a distance easterly from West 23rd street of 60 ft.; that there shall be no windows or other openings constructed in the southerly wall of the building; that no signs shall be erected or painted on this building; that this variance shall continue only so long as this building is used in connection with the existing business now carried on in the building on the corner of Neptune avenue and West 23rd street either by this concern or its successors in the same line of business; that the building shall comply in all other respects with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all

work completed within one (1) year from the date of this resolution.

568-40-BZ.

APPLICANT—Oscar Goldschlag, for 260 West 125th Street, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—259-261 West 124th street, north side, 200 ft. east of Eighth avenue (Block No. 1930, part of Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton Goldschlag.

For Opposition: Irving Horowitz, Edward H. Beck, Benjamin Millstein and Sol A. Herzog.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(568-40-BZ)

WHEREAS, Oscar Goldschlag, for 260 West 125th Street, Incorporated, owner, filed May 25, 1940, an application under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 259-261 West 124th street, north side, 200 ft. east of Eighth avenue (Block No. 1930, part of Lot No. 55), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 124th street, West 125th street, Eighth avenue and Seventh avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 25, 1940, reads:

"Your application dated April 17, 1940, for a certificate of occupancy for use of above premises as a parking and storage lot for more than five motor vehicles has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 101 ft.; it is proposed to occupy the site for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years, to permit the premises consisting of the unbuilt portion of Lot No. 55 to be occupied for the storage and parking of motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be stored and parked; that there shall be maintained a passageway separated from the parking space by a fence

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continuously from the rear of the building on the 125th street portion of the lot to 124th street, as a passageway from the rear exits of the building, such passageway to be not less than 5 ft. in width; that the balance of the plot shall be leveled substantially to the grade of West 124th street and surfaced with steam cinders, clean gravel or other suitable material; that there shall be erected on the interior lot lines, where walls of adjoining buildings do not occur, a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected on the street building line of West 124th street, with an entrance not exceeding 15 ft. in width, with curb cut opposite of similar width; that proper aisles shall be maintained at all times for easy entrance and egress; that there shall be not less than 18 in. between alternate rows of cars parked; that during the term of this permit the premises covered by this application shall be used for no other uses other than as herein permitted; that there shall be no building erected thereon except that there may be a building not over one story in height and not over 100 sq. ft. in area, and which may be of frame, as an office and shelter for the attendant; that signs shall be restricted to one sign attached to the fence advertising the parking and storage use, provided it does not exceed 15 sq. ft. in area, is not illuminated, and does not extend beyond the building line; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

602-40-A.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Laid over to November 19, 1940, at 10 A.M., for inspection by a committee of the Board.

623-40-A.

APPLICANT—Morris Perlstein, for Coney Island Soda Water Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2226-2228 Neptune avenue and 2813 West 23rd street, southeast corner, and east side of West 23rd street, 95 ft. south of Neptune avenue (Block No. 7016, Lot Nos. 1 and 83), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Perlstein and Jacob Fireman.

ACTION OF BOARD—Appeal withdrawn without argument in view of action of Board on Cal. No. 544-40-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

Adjourned, 12:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

WEDNESDAY AFTERNOON, NOVEMBER 13, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

712-38-BZ.

APPLICANT—Sidney L. Strauss, for Steeples Management Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Application (decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business uses in an existing multiple dwelling (previously dismissed for lack of prosecution).

PREMISES AFFECTED—1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

615-37-BZ.

APPLICANT—James Mattiace, for Beers Trusts (Lucius H. Beers and Sherman Baldwin, trustees), owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—456-460 West 41st street, south side, 100 ft. east of Tenth avenue (Block No. 1050, Lot Nos. 59, 60 and 60½), Borough of Manhattan.

APPEARANCES—

For Applicant: James Mattiace.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(615-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles, premises 456-460 West 41st street, south side, 100 ft. east of Tenth avenue (Block No. 1050, Lot Nos. 59, 60 and 60½), Borough of Manhattan, was granted by the Board June 21, 1938, on certain conditions; and

WHEREAS, James Mattiace, for Beers Trusts (Lucius H. Beers and Sherman Baldwin, trustees), owner, requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 21, 1938, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h thereof, for a temporary term of two (2) years from the date of this amended resolution."

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1206-39-BZ.

APPLICANT—Menley and James, Limited, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 7a of the building zone resolution, permitting upon a plot, located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons).

PREMISES AFFECTED—91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: C. H. Marseh.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1206-39-BZ)

WHEREAS, this application, under section 7a of the building zone resolution, to permit upon a plot, located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons), premises 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens, was granted by the Board January 3, 1940, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted January 30, 1940, only so far as it refers to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

“that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution.”

APPEALS FROM ADMINISTRATIVE DECISIONS.

994-40-A.

APPLICANT—Lama and Proskauer, for Empire State Varnish Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 13, 14, 15 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Michael Doniger and Merrit T. Metz.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 26, 1940, at 2 P.M., for further consideration by the Board.

1053-40-A.

APPLICANT—St. Clare's Hospital, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—415-421 West 51st street, north side, 199 ft. west of Ninth avenue (Block No. 1061, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Joseph Ferber, Alex Kraut and B. M. Sylvan.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted in accordance with report of a committee of the Board.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(697-39-A)

WHEREAS, George G. Lake, for Michael Gatto, adjoining property owner, filed May 25, 1939, an appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34, affecting premises 28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 16, 1939, reads:

“Answering your letter of May 4th, 1939 regarding your request for the revocation of certificate of occupancy No. 19617 issued on the above premises, the authority for revoking certificate of occupancies lies with the Board of Standards and Appeals.

Therefore, your request is denied.”

and

WHEREAS, the building is of non-fireproof construction, four stories (46 ft.) in height, 42 ft. 7 in. by 75 ft. in area; erected prior to 1916; located in an unrestricted use B area district; occupied since 1934 as follows: cellar, storage; first story, stores; second, third and fourth stories, lodging house, 50 persons per story, for which Certificate of Occupancy No. 19617-34 was issued; and

WHEREAS, the applicant contends that the building in question was built prior to 1916 for a hotel; that in 1931 an application was made for converting same to a lodging house and certificate of occupancy for said use was issued following Alteration No. 171-31; that prior to said alteration the third and fourth stories of the building were used as a hotel having separate rooms with windows; that the alteration was to remove room partitions and substitute dwarf partitions, with the result that instead of having rooms with proper windows and ventilation, the building now has cubicles without individual windows; that under Cal. No. 964-38-A the Board of Standards and Appeals held that said cubicles were not legal; and

WHEREAS, this appeal was the subject of a report of a committee of the Board, which report reads:

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REPORT OF COMMITTEE.

November 8, 1940.

Re: Cal. No. 697-39-A.

281 Bowery and 43 Bayard street, Borough of Manhattan.

This is an appeal from a decision of the borough superintendent of buildings of the Department of Housing and Buildings refusing to revoke a certificate of occupancy, No. 19617, issued in 1934, after completion of work of altering the building and installing cubicle partitions according to Alteration Application 171 of 1931. The building had for years been occupied as a hotel and no certificate of occupancy had been required. Prior to April 18, 1929, the building was subject to the requirements of the Building Code but not to the requirements of the Tenement House Law. Upon adoption of the Multiple Dwelling Law on April 18, 1929, the building became thereunder an existing Class B multiple dwelling. The alteration in 1931 was to change the building from a hotel to a lodging house, and the borough superintendent of buildings determined, in a memorandum dated April 7, 1931, nothing need be done under the requirements of the Multiple Dwelling Law "since the use and character of the building will not be changed." It is clear that the alteration was approved under the Building Code provisions only and the cubicle partitions were approved thereunder following the policy established in 1927 or before as to cubicle partitions in lodging houses. It appears also that due to an opinion of the Corporation Counsel, dated April 12, 1916, the requirements of the Charter, Chapter 19, Title 7, Section 1307, dealing with lodging houses and the requirements for sleeping rooms and ventilation were deemed not to apply to this building inasmuch as the Corporation Counsel had advised that these requirements had been repealed as to lodging houses by the adoption of the Building Code in 1916. Even as to exits, the record shows that the provisions of the Building Code and not the provisions of the Multiple Dwelling Law were applied.

The application and plans were not passed on by the Housing Division of the Department. The certificate of occupancy was issued upon completion, permitting occupancy as a Class B multiple dwelling having stores on the ground floor and lodging house on the second to fourth stories. The form of the certificate of occupancy is the form as approved by the Board of Standards and Appeals. The Board has at no time amended its approval of this form so as to include a certificate of compliance required to be issued for multiple dwellings under Section 301 of the Multiple Dwelling Law. No certificate of compliance was issued for this building. As the requirements of the Multiple Dwelling Law were not applied to this building, a certificate of compliance could not well have been issued.

In the opinion of the Board, the requirements of the Multiple Dwelling Law should have been met. While the cubicle partitions in question may have been considered permissible under the Building Code, such cubicles are contrary to the requirements of Sections 31 and 32 of the Multiple Dwelling Law in that such cubicles form rooms which do not comply with those requirements.

The Housing Division of the Department of Housing and Buildings is not authorized under the Multiple Dwelling Law to adopt regulations to permit conditions not only unlawful but as to cubicles a dangerous menace to life and health. In three previous appeals involving the construction of cubicles, the Board has held that they are unlawful under the Multiple Dwelling Law. One of these decisions has been the subject of Court review, namely, 964-38-A, affecting premises 6 Chatham square, where the Court of Appeals in *Edwards vs. Murdock* did not pass on the legality of the cubicles. That decision can have no bearing in this matter as

there can be no claim that a certificate of compliance has been issued or that the provisions of Section 301 of the Multiple Dwelling Law can be relied on in any respect.

On January 10, 1940, a bill was introduced by Senator Coudert to amend Section 31 of the Multiple Dwelling Law so as to permit cubicles under certain safeguards. This proposed amendment was not adopted.

The Committee recommends that the appeal be granted and that Certificate of Occupancy 19617 be revoked only so far as the cubicles are concerned and that the certificate of occupancy be reinstated upon removal of such cubicles as contravene the provisions of Sections 31 and 32 of the Multiple Dwelling Law.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
JOHN J. McCARTHY, No. 2,
Committee.

and

WHEREAS, this report recommended that the appeal be granted.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 19617-34, as to cubicles.

831-40-A.

APPLICANT—Mary E. Wezel, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(831-40-A)

WHEREAS, Mary E. Wezel, owner, filed July 31, 1940, an appeal from an order of the fire commissioner; premises 171 Bay Ridge avenue, north side, 260 ft. west of Ridge boulevard (Block No. 5861, Lot No. 69), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 84303-LC, dated July 1, 1940, reads:

"You are hereby notified that an inspection of the above premises used to store and use fuel oil shows that the following must be done before the permit requested by you can be issued:

1. Discontinue the storage and use of fuel oil on the above premises for the reason that no Certificate of Approval has been issued by the Board of Standards and Appeals for this type burner (Tru-Heet)."

and

WHEREAS, the building is two stories in height, 20 ft. by 52 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1907; occupied as a two-family dwelling; and

WHEREAS, the applicant contends that the burner in question is a Tru-Heet Burner, Model J-1, manufactured by the Tru-Heet Company, Trenton, New Jersey; that the burner was installed in 1935 and has given no trouble since installation; that it was installed by a contractor familiar with the installation of oil burners; and

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WHEREAS, the Fire Department Inspector of Combustibles reports that the tank is 10 gauge metal, with 1 in. vent, 2 in. fill line and ½ in. suction line; that the fill pipe terminal is within 5 ft. of the building opening and the vent pipe is not 5 ft. above the fill pipe terminal; that the oil storage tank is located under wooden cellar stairs; that there is only one shut-off valve in the oil system and that is located at the tank; there is no shut-off valve at burner or suction line and there is no protection against mechanical injury; that the ceiling over the smoke pipe is more than 18 in. above same and is covered with Bell boards; that there are no sand pails, no instruction card or label or remote control; that the burner was approved by the Board of Fire Underwriters and is of the burner atomizing type and consists of the following assembly: A Wagner electric motor of one horsepower, a Tuthill pump, an electric ignition Jefferson transformer, and the controls consist of Minneapolis Honeywell Protectorelay, pressuretrol and aquastat; and

WHEREAS, it is recommended by the Fire Department that the applicant provide a 1¼ in. vent line and extend the vent pipe 5 ft. above the fill pipe terminal, relocate fill pipe terminal so that same is 5 ft. from the building opening, protect all exposed piping from mechanical injury, fire-retard the underneath side of cellar stairs, provide two sand pails, provide instruction card, label remote control, provide shut-off valve at burner, make application for test of pipe and tank, repair leak at shut-off valve at tank and in 2 in. fill pipe near tank.

Resolved, that the order of the fire commissioner, Order No. 84303-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the burner shall bear the label "Approved by the National Board of Fire Underwriters," and that in all other respects the installation shall comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals; that in addition, if the fuel oil tank is located under the wooden stairs, that the soffit of the cellar stairs shall be fire-retarded.

1009-40-A.

APPLICANT—Edward M. Wheeler, for Katherine P. Retugna, owner (Benjamin D. Gilbert, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—13 Commerce street, north side, 40 ft. 9⅝ in. west of Seventh avenue (Block No. 587, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward M. Wheeler.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1009-40-A)

WHEREAS, Edward M. Wheeler, for Katherine P. Retugna, owner, filed October 21, 1940, an appeal from a decision of the borough superintendent of buildings; premises 13 Commerce street, north side, 40 ft. 9⅝ in. west of Seventh avenue (Block No. 587, Lot No. 64), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3186-40, dated October 18, 1940, reads:

"1. Raising of a three (3) story frame structure contrary to Sec. 4.1.5.d—B.C.

3. Roof beams are weak under new construction."

and

WHEREAS, the building is three stories in height, 21 ft. by 22 ft. in area; of Class 4 construction; located in an unrestricted use district; erected prior to 1900, and occupied as a one-family home; and

WHEREAS, it is proposed to build a store room for empty trunks and mothproof clothes boxes, located on the roof above the hall bedroom; and

WHEREAS, the applicant contends that the proposed penthouse will be constructed of galvanized iron and steel supports and will be lined with fire-resistive materials; that the Code permits single family dwellings to be 40 ft. in height, and that the present height of the building is approximately 30 ft.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3186-40, be and it hereby is *modified*, as to Objection No. 1, permitting the penthouse on the roof, as proposed, *on condition* that the proposed extension shall be used solely for storage and not for living quarters; that the proposed penthouse shall be fire-retarded throughout on the interior, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and *denied* as to Objection No. 3.

1010-40-A.

APPLICANT—Samuel L. Malkind, for Kew Gardens Corporation, owner (Virginia Estates Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-12 Queens boulevard (Kew Gardens road), south side, between Quentin street and Union Turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Samuel L. Malkind and Alrick H. Man, Jr.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1010-40-A)

WHEREAS, Samuel L. Malkind, for Kew Gardens Corporation, owner, filed October 21, 1940, an appeal from a decision of the borough superintendent of buildings, Department of Housing and Buildings; premises 80-12 Queens boulevard, south side, between Quentin street and Union Turnpike (Block No. 3348, Lot No. 37), Kew Gardens, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2468-40, dated October 10, 1940, reads:

"The conversion of a non-fireproof Class B multiple dwelling to a Public Bldg. (Hospital) is contrary to provisions of Section 4.21 of the Building Code, Section C26-254 of the Adm. Code."

and

WHEREAS, the building is four stories and basement (50 ft.) in height, 194 ft. by 139 ft. in area; of Class 3 construction; equipped with a sprinkler system in the basement and a standpipe system; erected in 1920; located in a business and residence use district; occupied throughout as a hotel; it is proposed to be occupied: cellar, boiler-room; basement, hospital, 10 persons; first story, wards and administration offices, 40 persons; second story, patients' rooms, 80 persons; third story, operating room, laboratories and patients' rooms, 44 persons; fourth story, nurses' and internes' residence, 76 persons; and

WHEREAS, it is proposed to fireproof three stairhalls by installing iron stairs and concrete arches for platforms and

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landings (existing doors are fireproof and self-closing); to widen north-to-south corridors on second and third stories from 4 ft. to 6 ft. (existing east-to-west corridors are 5 ft. wide and will remain); to fire-retard all corridors on first, second and third stories with wire lath and $\frac{3}{4}$ in. cement plaster on the corridor side; to rearrange room layouts on first, second and third stories without structural alterations so that no room will be more than 30 ft. distant from the nearest fire escape or fireproof stairway; to fire-retard cellar ceiling with $\frac{1}{2}$ in. plaster boards covered with 26 gauge metal or wire lath covered with $\frac{3}{4}$ in. Portland cement plaster; to provide boiler-room separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; to make certain that all doors leading to fire escapes will open out and will be fireproof and self-closing; and

WHEREAS, the applicant contends that the present use of the building does not yield a return sufficient even to pay the carrying charges; that the proposed use will produce a more satisfactory return; that practical difficulties exist which make no other use practicable than the use proposed; that a modification permitting the proposed use can be granted subject to conditions calculated to observe the spirit of the Code, to secure public safety and to do substantial justice; that the owner proposes to comply with said conditions and to provide the community with a much-needed well-equipped hospital; that in addition to the foregoing, the following safety factors exist: (a) five fire walls divide the building into sections of less than 2,500 sq. ft.; (b) a central fire alarm system is provided with two stations on each floor and four alarm gongs on each floor; (c) there are seven Pyrene fire extinguishers on each floor; (d) there is a one-source, wet, automatic sprinkler system in the basement; (e) there are three sets of standpipes, one in each stair hall; (f) access to fire escapes is by means of doors instead of windows.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 2468-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the ceilings throughout shall be fire-retarded with wire lath and $\frac{3}{4}$ in. cement plaster; that the stair halls and corridors throughout shall be similarly fire-retarded; that all doors thereto be as approved for not less than three-quarter hour test; that the building throughout shall be protected with a sprinkler system complying with the requirements of the Building Code therefor; that such sprinkler system may be one-source, provided the pressure at the highest sprinkler head for the full twenty-four hours of the day is not less than 15 pounds, and that if such requirement cannot be met, a two-source sprinkler system shall be installed; that any exterior fire escapes installed on the building shall be properly screened; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building, and in all other respects the building shall be protected as proposed in this appeal; that the windows on the course of any fire escape erected shall be fireproof and self-closing; that the standpipe system shall be maintained to the satisfaction of the fire commissioner; that the engineer in charge of the heating system shall hold a certificate of fitness; that the fire alarm system shall be maintained throughout; that in addition such portable fire extinguishers shall be maintained as the fire commissioner directs; that in addition to these above requirements, the requirements of the Department of Hospitals and Department of Health shall also be complied with; that this variance shall continue only so long as this building is occupied as proposed and in all other respects meets the requirements of all laws, rules and regulations applicable thereto; that this variance is granted *on condition* that the building will be occupied throughout for hospital purposes as proposed and that all hotel uses and other uses will be discontinued upon the establishment of the hospital; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1048-40-A.

APPLICANT—Robert D. Kohn, for R. H. Macy and Company, Incorporated, owner and long-term lessees.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1317-1329 Broadway, 149-167 West 34th street, 148-164 West 35th street and 441-459 Seventh avenue (Block No. 810, Lot Nos. 1-12-50), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Knight.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(1048-40-A)

WHEREAS, Robert D. Kohn, for R. H. Macy and Company, Incorporated, owner and long-term lessees, filed October 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1317-1329 Broadway, 149-167 West 34th street, 148-164 West 35th street and 441-459 Seventh avenue (Block No. 810, Lot Nos. 1-12-50), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3227-40, dated October 24, 1940, reads:

"3. Not more than two adjoining stories in any structure may be connected by an open well unenclosed stairway or escalator C26.292.0 (i) A.C. C6.4.1.9 B.C. Plans filed should show compliance with same."

and

WHEREAS, the building is nineteen stories and penthouse in height, 680 ft. by 197 ft. in area; of Class 1 construction; erected in 1898, 1921, 1928 and 1930; located in a business use district, and occupied throughout as a department store; and

WHEREAS, it is proposed to install one new cleat-step type escalator from the first to second stories, replacing the existing shunt-type escalator which will be removed together with its enclosure at head; the enclosure for the new escalator will consist of a fireproof balustrading with a rolling shutter in a horizontal position and be manually operated; the well opening will be protected by a steel or cement flame baffle and sprinkler water curtain; it is also proposed to remove the existing enclosures at head of existing escalators, first to second stories, one at Column Nos. 54 and 64, and at Column Nos. 145, 155, 165, 146, 156 and 166 and provide new enclosures for new escalator; flame baffles and sprinkler water curtains will be provided for all well openings of existing escalators affected, as noted for new escalator; and

WHEREAS, the applicant contends that the protection afforded by the proposed alteration is at least equal to or superior to the existing construction; that the building is equipped with a 100 per cent. two-source sprinkler system, a standpipe system, a central station fire alarm, and maintains watchmen's service.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3227-40, Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the removal of existing kiosks and escalator and installation of the escalator as proposed at Column No. 57, *on condition* that such escalator shall be installed in accordance with the same requirements as set forth in the appeal granted by the Board on April 12, 1938, as amended May 17, 1938, under Cal. No. 227-38-A, involving the same premises, and, also, to permit the removal of the existing kiosks on the second story at Column Nos. 54, 155 and 156 as previously installed in connection

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with the existing escalators from the first to the second story, provided conditions as set forth for similar alteration under Cal. No. 227-38-A are complied with.

1052-40-A.

APPLICANT—William Higginson and Son, for St. John's Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—77-85 Albany avenue, southeast corner of Herkimer street, and 1519-1535 Atlantic avenue (Block No. 1705, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Clarence Higginson and L. M. Arrowsmith.

For Administration: Dewey Rothkrug, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1052-40-A)

WHEREAS, William Higginson and Son, for St. John's Hospital, owner, filed October 31, 1940, an appeal from a decision of the borough superintendent of buildings; premises 77-85 Albany avenue, southeast corner of Herkimer street, and 1519-1535 Atlantic avenue (Block No. 1705, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3871-40, dated October 29, 1940, reads:

"3. Building should be of fireproof construction, Section 4.2.1 of Code.

5. Stair enclosure to be of 3 hour construction, Section 6.4.1.8.1; stairs to be constructed of incombustible material, Section 6.4.1.7.1., and required clear width at landings to be maintained, Section 6.4.1.1."

and

WHEREAS, the building is four stories in height, 90 ft. by 130 ft. in area; of Class 3 construction; erected in 1882; located in a business and unrestricted use district, and occupied: basement, sleeping quarters and out-patients' department, 25 persons; first story, nurses' sleeping quarters, out-patients' department and offices, 60 persons; second story, sleeping quarters and gymnasium, 44 persons; third story, sleeping quarters, 22 persons; fourth story, sleeping quarters, 12 persons; and

WHEREAS, the applicant contends, as to Objection No. 3, that the building was erected in 1882 as a hospital and has been used as such ever since; that the building is now used mainly as a clinic and dormitory for employees of the hospital; that this use does not amount to change in use and therefore the building should be permitted to continue as at present; that as to Objection No. 5, the stairways were enclosed in 1916 to comply with the order of the Bureau of Fire Prevention; that the building has two fire alarm stations on each floor, 2 in. standpipe lines, and is but four stories in height; that the owner is willing to make reasonable alterations so as to permit the continuance of the present occupancy.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3871-40, Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and only so long as the building is continued in its present use; as to Objection No. 5, permitting the continuance of the existing stairs as shown, provided the stud partitions are reconstructed so as to be fire-retarded with wire lath and $\frac{3}{4}$ in. cement plaster with approved three-quarter hour self-closing doors to all

openings of all stairways; that the doors leading from the hall to the gymnasium on the second and third stories shall be fireproof and self-closing; that there shall be installed a sprinkler system in the main hallway and stairways for the full height of the building; that such system may be fed from the domestic water supply of the building, provided that such water supply is not less than 2 in. and provided there is at least 15 pounds of pressure at the highest head; that there shall be installed a single hose inlet on two street fronts; that in all other respects the sprinkler system shall comply with the requirements of the Building Code therefor; that the occupancy of the building shall not be materially increased, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1072-40-A.

APPLICANT—Globe Sales Manufacturing Company, lessee, for Estate of Cornelius L. Pell, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—622-624 Broadway, east side, 141.59 ft. north of East Houston street (Block No. 522, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard Saraga and Louis Chasin.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(1072-40-A)

WHEREAS, Globe Sales and Manufacturing Company, lessee, for Estate of Cornelius L. Pell, owner, filed November 9, 1940, an appeal from an order of the fire commissioner; premises 622-624 Broadway, east side, 141.59 ft. north of East Houston street (Block No. 522, Lot No. 5), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 23674-LC, dated October 11, 1940, reads:

"Before a permit may be issued for the storage and use of paints, etc. the following must be done:

2. Provide a room in which to place dipping tanks. Room to be constructed of fire resisting material, ventilated and protected as required by Rule 6.3 i.e. sprinkler and Rule 3, i.e., ventilation.

5. Provide a double walled metal cabinet vented directly to the outer air for paint storage. Rule 6.1.2."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated November 6, 1940; and

WHEREAS, the building is six stories, basement and sub-basement in height, 44 ft. by 176 ft. in area; of Class 3 construction; equipped with a sprinkler and standpipe system; erected in 1895; located in an unrestricted use district, and occupied: sub-cellar, storing machinery, cotton goods and tools, no persons; cellar, storage of cotton and wool materials and dipping material cots, 3 persons; first story, office and store and machine shop, 25 persons; second story, manufacturing rain coats, 60 persons; third story, manufacturing picture frames, 15 persons; fourth story, printing on cloth, 10 persons; fifth story, manufacturing tow targets, 85 persons; sixth story, printing on cloth, 8 persons; and

WHEREAS, the applicant contends that for the past few years the present occupants have been doing the work in question under favorable conditions and during which time there never has been any difficulty which would have been a fire hazard; that the premises are equipped with an exhaust fan which is in use at all times during the use of the dipping tanks; that no smoking is permitted on the premises.

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Resolved, that the order of the fire commissioner, Order No. 23674-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1467-39-A.

APPLICANT—A. L. Seiden, for Nabru Associates, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision—re an order of the fire commissioner.

PREMISES AFFECTED—135-139 West 26th street, north side, 375 ft. west of Sixth avenue (Block No. 802, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: A. L. Seiden.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1467-39-A)

WHEREAS, this appeal from a decision—re an order of the fire commissioner, premises 135-139 West 26th street (Block No. 802, Lot No. 19), Borough of Manhattan, was granted by the Board January 16, 1940, on certain conditions; and

WHEREAS, A. L. Seiden, for Nabru Associates, Incorporated, owner, requested amendment of the resolution as to the "waterflow alarm."

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on January 16, 1940, so that as amended the resolution shall read:

"*Resolved*, that the order of the fire commissioner, Order No. 5551-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be installed throughout the cellar, except for the motor room and boiler-room, which system shall comply with all requirements of the Board of Standards and Appeals therefor, except that the water supply may be taken from the domestic water supply of the building, provided such supply is at least 2 in. in diameter; that no waterflow alarm need be installed; that a single siamese connection to such sprinkler system shall be installed at the building line; that the stairway from the cellar to the first story shall be enclosed with terra cotta block partition not less than 4 in. in thickness; that any trap door between the cellar and the first story shall be kept permanently closed."

APPLIANCES SUBMITTED FOR APPROVAL.

95-29-SA.

APPLICANT—The Heil Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re approval of additional model—Heil Activ-Flame Oil Burner (Heil Combustion Oil Burner, Model D, previously approved).

APPEARANCES—

For Applicant: Irving T. Hecht and George E. Hochstein.

ACTION OF BOARD—Application reopened and referred to engineer of Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

184-34-SA.

APPLICANT—Vapofier Corporation, owner.

SUBJECT—Application reopened March 15, 1938—re amendment of resolution—re Vapofier Oil Burner (previously approved).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for amendment withdrawn on request of engineer of Board.

THE VOTE TO WITHDRAW REQUEST FOR AMENDMENT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(184-34-SA)

WHEREAS, David Kaufman, for Vapofier Corporation, owner, filed June 22, 1934, an application with the Board of Standards and Appeals for approval of the device known as the Vapofier Oil Burner; and

WHEREAS, this appliance was approved by the Board October 30, 1934, in accordance with the report of the engineer; and

WHEREAS, D. S. Skene, for Vapofier Corporation, owner, requested reopening of the application and amendment of the resolution; and

WHEREAS, this application was reopened and referred to the engineer of the Board March 15, 1938; and

WHEREAS, the Board deemed that the amendment to the resolution was unnecessary and that a modification should be granted on an individual case only.

Resolved, that the request for amendment be and it hereby is *withdrawn*.

309-33-SA.

APPLICANT—William V. McDevit, for Sears, Roebuck and Company, owner.

SUBJECT—Application reopened October 29, 1940—re amendment of resolution to include approval of additional sizes of Model H—re Hercules Automatic Oil Burner (previously approved).

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(309-33-SA)

WHEREAS, H. W. Ordeman, for American Heating Company, owner, filed September 25, 1933, an application with the Board of Standards and Appeals for approval of the device known as Hercules Oil Burner, Models H and HF; and

WHEREAS, this appliance was approved by vote of the Board November 14, 1933; and

WHEREAS, William V. McDevit, for Sears, Roebuck and Company, present owner, requested amendment of the resolution so as to include approval of Model H, an improved model of the burner; and

WHEREAS, the resolution was so amended by vote of the Board July 16, 1937; and

WHEREAS, the applicant subsequently requested reopening of the application and amendment of the resolution so as to include approval of additional sizes of Model H; and

WHEREAS, this application was reopened by vote of the Board October 29, 1940, and referred to the Committee on Tests of the Board for test and report, which report reads:

MINUTES

REPORT OF COMMITTEE ON TESTS.

November 13, 1940.

Re: Cal. No. 309-33-SA.

Subject: Amendment of resolution to include approval of additional sizes of Model H.

The Board of Standards and Appeals on November 14, 1933, approved the Hercules Oil Burner, Models H and HF, and on July 16, 1937, approved Type H, 1937 model. Request was made for a reopening of the application and approval of additional improvements. The application was reopened by vote of the Board October 29, 1940.

The improved models of the burner were inspected at 56 Clove Lake place, Richmond, Virginia, on November 7, 1940. The burner is made in three sizes, .75 to 1.65 gallons per hour, 1.65 to 4 gallons per hour, and 4 to 6 gallons per hour. A one-sixth horsepower Marathon motor is used instead of the General Electric, a Sundstrand pump in place of the Tuthill, and an adjustable air control on the side of the burner has been provided. The improved models have been approved by the Underwriters' Laboratories.

It is recommended that the Hercules Oil Burner, Type H, as improved in 1940, be approved under the same conditions as imposed July 16, 1937, except as modified by this report.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 14, 1933, as amended by resolution adopted on July 16, 1937, in accordance with report of the Committee on Tests.

MATERIALS SUBMITTED FOR APPROVAL.

790-39-SM.

APPLICANT—The Imperial Brass Manufacturing Company, owner.

SUBJECT—Imperial Automatic Primer (for floor drains), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material disapproved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(790-39-SM)

WHEREAS, Imperial Brass Manufacturing Company, owner, filed June 14, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Imperial Automatic Primer (for floor drains); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 7, 1940.

Re: Cal. No. 790-39-SM.

Subject: Imperial Automatic Primer (for floor drains), approval of.

The Imperial Brass Manufacturing Company filed June 14, 1939, an application with the Board of Standards and Appeals for approval of the Imperial Auto-

matic Primer (for floor drains), under Section C26-1277.0, Par. H (14.8.2.8), Administrative Building Code.

Inspection and test of the primer were made by a committee of the Board January 22, 1940, at 22 Vandewater street. This fill trap primer valve was designed to insure the proper sealing of drain trap to periodically serve water to the trap. This unit is to be placed in a water supply pipe which it is reasoned will be used frequently. The connection serving the drain trap is fitted with the two circular air ports designed to prevent siphonage from the drain pipe to the water supply piping. While vacuum tests indicated that the device could withstand a vacuum equivalent to 28 in. of mercury, the fact that it is a direct cross-connection between water supply piping and drainage piping is clearly indicated on the pamphlet issued by the applicant. The utilization of this appliance is specifically prohibited in Section C26-1223.0 entitled "Water Supply" of the Administrative Code, which reads in part:

"Direct connection between water supply piping and soil or waste piping is prohibited."

It is therefore recommended that the application for approval of the Imperial Automatic Primer (for floor drains) be denied.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended that the application for approval of this material be denied.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the material known as the Imperial Automatic Primer (for floor drains).

49-40-SM.

APPLICANT—National Gypsum Company, owner.
SUBJECT—Gold Bond Floating Wall (Nail System), approval of.

APPEARANCES—

For Applicant: H. Z. Jones.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(49-40-SM)

WHEREAS, National Gypsum Company, owner, filed January 12, 1940, an application with the Board of Standards and Appeals for approval of the material known as Gold Bond Floating Wall (Nail System); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 3, 1940.

Re: Cal. No. 49-40-SM.

Subject: Gold Bond Floating Wall (Nail System), approval of.

The National Gypsum Company, of Buffalo, New York, filed on January 12, 1940, an application with the Board of Standards and Appeals for approval of its method of construction known as the Gold Bond Floating Wall System (Nail System) (Fig. 1) under the

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provisions of C26-191.0 (2.2.3), Administrative Building Code.

The National Bureau of Standards (Report T.P. 3619-FR 976, August 19, 1937, filed herewith) conducted a fire endurance test of a wood-stud, load-bearing partition 16 ft. wide and about 10 ft. 4 in. high faced with gypsum plaster applied on gypsum lath, the same being attached with the special metal lath attachments, which form the basis of the system. The main object of the test was to determine the integrity of such attachments on the fire resistiveness of the partition. The wood studs were set 16 in. c-c and were secured into wood plates at the top and bottom and braced with a line of bridging at midheight. The lath was standard 48 in. x 16 in. x $\frac{3}{8}$ in. unperforated gypsum lath with a space between them at the joints and holes opposite the studs at intermediate points, through which were placed the special metal lath attachments, seven of which were applied around each 48 in. x 16 in. board. These attachments consist of a double layer of small mesh expanded metal lath flanged over a double piece of cardboard, the head of a $1\frac{1}{2}$ in. x $\frac{1}{8}$ in. lathing nail being secured between the metal lath and the cardboard layers. The test was conducted in accordance with the Standard Fire Test Specifications for Building Construction and Materials, A.S.A. A2-1934.

The load-bearing partition fifteen tons over 16 ft. of partition withstood the fire endurance test for sixty-six minutes, when failure under load occurred. As a non-load bearing partition, the fire endurance limit developed in the test was seventy-two minutes. A maximum temperature rise of 325 degrees Fahrenheit at one point occurred at seventy-two minutes and an average rise of 250 degrees Fahrenheit for all locations on the unexposed side occurred at seventy-three minutes. The fire was discontinued at seventy-six minutes. The fire endurance limits apply to the particular type of construction used and the thickness and proportion of plaster to sand obtaining in the test. The plaster thickness over the lath was $\frac{1}{2}$ in. including the finish coat and the proportion of plaster to sand was 1 to 1.4, taken on basis of weights of dry materials.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Gold Bond Floating Wall (Nail System) (Fig. 1) as an approved method of construction under the authority vested in the Board by Section C26-191.0 (2.2.3), Administrative Building Code, for use with approved Gold Bond Gypsum Lath in Class 3 and Class 4 buildings. Approval is also recommended when constructed in accordance with details and materials as described herein, as a one-hour fire-resistive partition under C26-636.0 c (10.4.3.1), Administrative Code.

It is further recommended that all plans, proposing use of Gold Bond Floating Wall (Nail System), submitted to the Department of Housing and Buildings, shall be marked or stamped, reading as follows: "As approved by the Board of Standards and Appeals for use in New York City under Cal. No. 49-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gold Bond Floating Wall (Nail System), on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

659-40-SM.

APPLICANT—Automatic Nut Company, Incorporated, for New York Corporation, owner.

SUBJECT—Anco Lock Nuts, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(659-40-SM)

WHEREAS, George H. Miller, for Automatic Nut Company, for New York Corporation, owner, filed June 11, 1940, an application with the Board of Standards and Appeals for approval of the material known as Anco Lock Nuts; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 7, 1940.

Re: Cal. No. 659-40-SM.

Subject: Anco Lock Nuts, approval of.

George H. Miller, for Automatic Nut Company, Incorporated, for New York Corporation, owner, filed June 11, 1940, an application with the Board of Standards and Appeals for approval of their material known as "Anco Lock Nuts," under Section C26-521.0 (8.2.6.9), Administrative Building Code. The complete Anco Structural Rib Bolt and Anco Lock Nut used together as a unit were approved by the Board of Standards and Appeals under Cal. No. 188-38-SM. The request now is for the approval of the use of Anco Lock Nuts when used with turned bolts, rough machine bolts and semi-finished machine bolts.

Tests were conducted on these nuts by the Material Laboratory, Navy Yard, New York, in May, 1935, to determine their suitability for use as a locking device on machine bolts. Anco Lock Nuts and Bolts to be used with them are made from hot rolled open hearth steel (consisting of: carbon, .19; manganese, .84; phosphorus, .018; sulphur, .139; yield point, 41,400 p.s.i.; tensile strength, 64,200 p.s.i.; elongation in 8 in., 28 per cent.; reduction in area, 42.8 per cent.) and are constructed in accordance with standard dimensions and screw thread practice, but are provided with a locking pin, made from chrome vanadium steel containing a high percentage of nickel, which impinges against the body of the bolt, between the threads at their base. The pin is bent and the fixed end is anchored by means of an offset which is crimped by an external punching process at the maximum diameter of the nut opposite the offset section. The locking end of the pin is tapered to engage the root of the threads and by means of its resilience opposes the rotation of the nut when wrenched on but reverses to permit unscrewing of the nut when sufficient wrench pressure is applied. The pin cuts its own thread in the beveled end of the bolt until the full thread is reached and then turns without cutting the bolt appreciably. The locking pin hole is drilled in a machine that automatically locates the pin at the correct distance from the center of the nut so that the pin properly engages the bolt thread. Two each of the following sizes were selected, after gauging, for vibration test.

Sample Nos.
4 and 12
1 and 9
10 and 11

Size
1 in. fine thread
 $\frac{5}{8}$ in. coarse thread
 $\frac{3}{4}$ in. fine thread

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Two blank steel flanges were bolted together with twelve bolts and lock nuts or washers of brands previously approved for Naval use and the above test samples. The bolted assembly was placed on the vibration block used to test thread locking devices. After operating the pneumatic hammer for about one hour, reference marks, aligning the end of the bolt, the nut, washer and flange were marked for each sample. The hammer was stopped at the end of four-hour running periods and changes of angular position noted in the log of the test. At the end of three hours a No. 12 bolt and nut had turned to the left in the hole $\frac{1}{8}$ in. At the twenty-two-hour mark a No. 11 nut had turned in a tightening direction $1/12$ turn after the spacer washer had been flattened by the hammer plate. At thirty-eight hours the test was stopped and no further changes were found.

On the basis of the foregoing data, the Committee on where bolting is permitted, under C26-521.0 (8.6.2.9), Administrative Building Code, for use with *all classes of turned and machine bolts*, both nuts and bolts to have physical characteristics and to be of specifications as described herein. The use of this Anco Lock Nut, however, shall not be permitted in steel connections which are to be subjected to heavy concentrated loads or where considerable vibration may occur.

It is further recommended that each container of

Anco Lock Nuts and the bolts to be used with them shall be marked or labeled, reading as follows: "Anco Lock Nut and Bolts contained herein comply with physical properties and specifications as required in the approval of the Board of Standards and Appeals for use in New York City under Cal. No. 659-40-SM for uses as provided therein."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Anco Lock Nuts, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 4:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

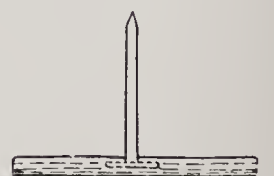
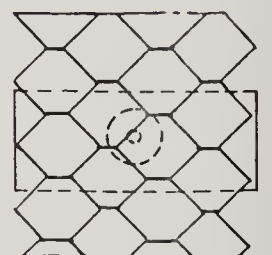
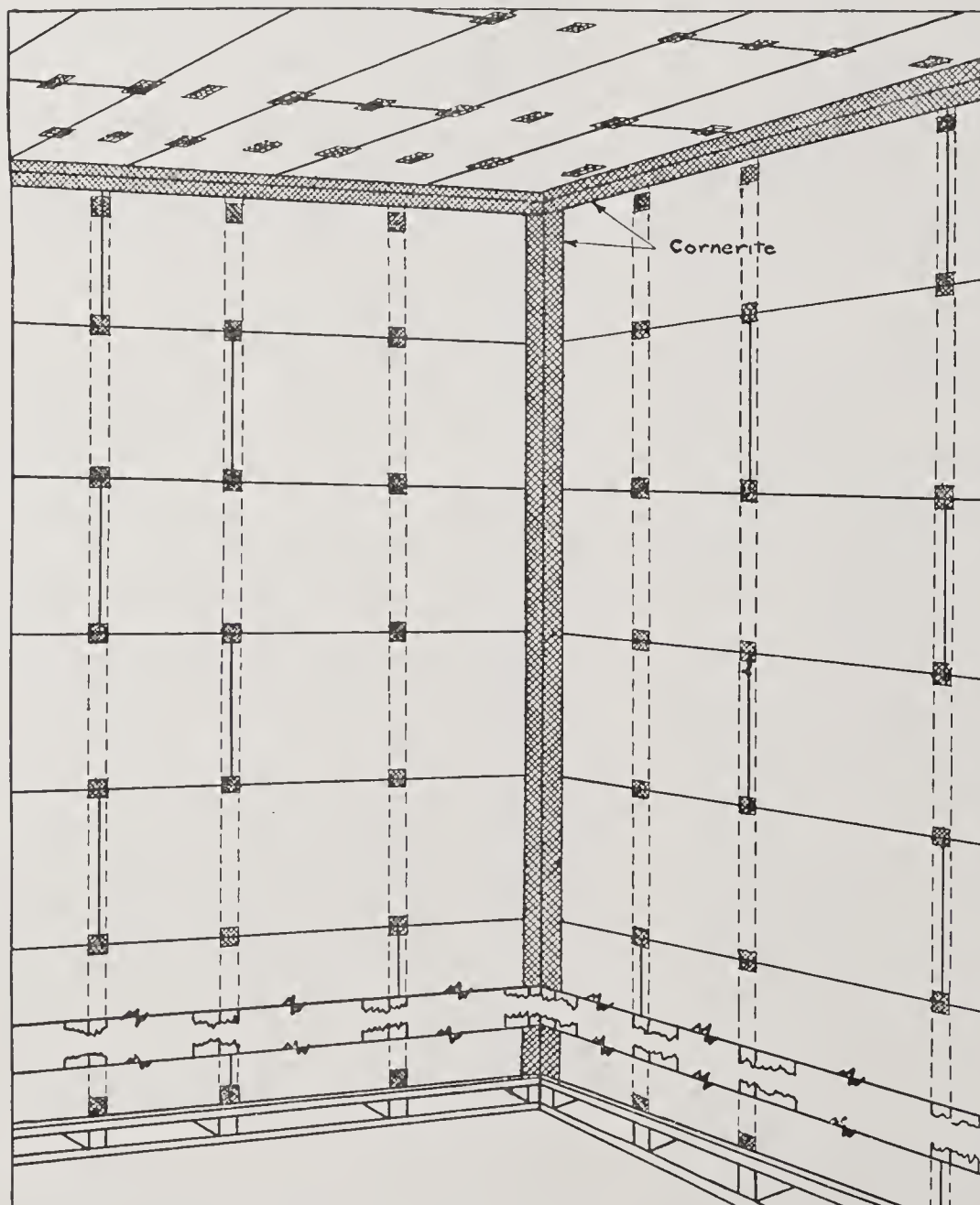


Figure 1 (Cal. No. 49-40-SM)

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*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on Tuesday, March 12, 1940, as they appeared in Bulletin No. 12, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(197-39-BZ)

WHEREAS, Rudolph B. Weiss, for Louise DeVito, owner (William DeVito, lessee), filed an application, under section 21 of the building zone resolution, to permit in a business use district, on an existing gasoline service station, the maintenance of an accessory building occupied as an office, auto laundry and motor vehicle repair shop; premises 150-47 12th road, northwest corner of Cross Island boulevard (Block No. 4517, Lot No. 39), Whitestone, Borough of Queens; and

WHEREAS, this application was dismissed for lack of prosecution; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 12, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 12th road is in a business and residence use district; Cross Island boulevard is in a business use district; 12th avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 8215-1938, dated February 3, 1939, and as amended December 14, 1939, reads:

"The extension on an existing gasoline station of an accessory building used as a laundry and repair shop, is contrary to Article 2, Sec. 4 of the Zoning Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 12th road and 50 ft. on Cross Island boulevard, a portion of the plot now developed with a one-story structure, 51 ft. by 30 ft. in area, occupied as an auto laundry, lubritorium, motor vehicle repair shop and office, and the remainder of the plot is used as a gasoline service station; it is proposed to occupy the premises as now developed; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship to rearrange and reconstruct the existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations and that the application be and it hereby is *granted*, to permit the reconstruction and rearrangement of the legally existing gasoline service station and motor vehicle repair shop substantially as indicated on plans marked "Received February 21, 1939," on condition that the accessory building shall not be increased in height or area; that any windows on the interior lot line shall have steel frames and sash and shall be glazed with wire glass and made self-closing; that any heating equipment shall be installed in a separate portion of the building, separated from other portions of the accessory building by incombustible materials and enterable only from the exterior; that no doors shall be constructed on the greasing section unless a ventilating system is installed in the greasing pits with a sparkproof motor and with a duct extending through the roof; that no additional pumps shall be installed nearer than 10 ft. to any street building line and that any pumps within 10 ft. shall be relocated; that there shall be erected on the northerly and westerly interior lot lines an enclosing wall or fence through to the street building line not less than 5 ft. in height; that

the curb cuts shall not exceed those now existing; that the automobile repairing shall be limited to such repairing as can be done with hand tools, excluding the use of anvil, forge or other heavy equipment; that signs shall be restricted to permanent signs attached to the accessory building, excluding all temporary signs and roof signs, but permitting the erection within the building line near the intersection of 11th avenue and 12th road of a pipe standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that no portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

*Correction—The number "8215-1939" deleted in line 24 of the resolution and "8215-1938" inserted therefor.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on April 16, 1940, as they appeared in Bulletin No. 17, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(318-40-S)

WHEREAS, W. Schier, for Charmouth Realty Corporation, owner, filed March 27, 1940, an application for a variation of the labor law, as cited in an order of the fire commissioner; premises 42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens; and

WHEREAS, Order No. 1718-LF, issued by the fire commissioner November 16, 1938, reads:

"1. Remove all partitions not built of non-combustible material on 1st, 2nd and 3rd floors, as per Sections 263 & 270 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated January 22, 1940, and a subsequent decision, dated March 25, 1940; and

WHEREAS, the building is five stories (60 ft.) in height, 80 ft. by 140 ft., irregular in area; of fireproof construction; located in an unrestricted use district; erected in 1927 and occupied: cellar, boiler room and storage; first floor, manufacturing composition heels and smoking pipes, 20 persons; second floor, same, 30 persons; third floor, manufacturing of furniture and metal rods, 20 persons; fourth floor, manufacturing of novelties, woodwork, and vacuum cleaner repairs, 10 persons; fifth floor, manufacture of screens, 5 persons. The building is equipped with a sprinkler system, standpipe system, interior fire alarm system, and three interior stairs of fireproof construction equipped with fireproof doors; and

WHEREAS, the applicant contends that the partitions involved are only about 5 percent of the total wall area and have been in use 12 years; that the partitions on the third floor of the main building are made of ½ in. sheet rock, on both sides of wood studs and enclose the office and showroom; on the third floor of the east building the partitions are ¼ in. 3 ply plywood, on wood studs and enclose showroom; that on the second floor, main building, the partitions are ½ in. fibre board on wood studs, enclosing office; that on the first floor, main building, ½ in. fibre board on wood studs, enclosing mixing room, where materials are mixed for composition heels and pipes; that the building is fireproof, faces on two streets and is well protected by a supervised two-source sprinkler system; that the openings facing the adjoining exposures are protected with wire glass; that there are three fire-resistive stair enclosures, and that the occupancy is not hazardous as evidenced by the low fire insurance premium rate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor

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law, and that the application be and it hereby is *granted*, modifying the order of the fire commissioner, No. 1718-LF, *on condition* that the existing wood partitions, other than the partitions surrounding the storage and mixing room on the first floor, may be continued, provided they are replaced with legally constructed partitions within two (2) years; that the partition on the first floor, enclosing the mixing room shall be removed *or* replaced with a partition constructed of incombustible material; that any doors thereto shall be fireproof, self-closing; that the room in which the heater and oil burner is installed shall be separated from this room and not entered from the mixing room; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

* Correction—The word “and” changed to “or” in line 56 of resolution.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on Tuesday, October 22, 1940, as they appeared in Bulletin No. 44, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(910-40-A)

WHEREAS, Aymar Embury, II, for Queens County Jockey Club, owner, filed September 11, 1940, an appeal from a decision of the borough superintendent of buildings, for permission to erect a building in the bed of mapped streets (Peconic street and 149th avenue); premises 135-60 108th street, west side, from Peconic street to 135th avenue (Block No. 11562, Lot No. 7, Block No. 11564, Lot No. 1, and Block No. 11539, Lot No. 1), Aqueduct Race Track, Aqueduct, Borough of Queens; and

WHEREAS, a public hearing was held by the Board of Standards and Appeals pursuant to section 35 of the General City Law after due notice by publication in the Bulletin of the Board of Standards and Appeals supplemented by publication in the Long Island Daily Press; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5951-40, reads:

“1. The proposed location of the structure, in the bed of mapped streets, is not permitted.”
and

WHEREAS, the premises consist of acreage lying north of North Conduit avenue and east of the Long Island Railroad now operated as a race track; it is proposed to demolish portion of an existing grandstand built in 1906, 1932, 1933 and 1940 and to construct a new Class 3 building, 50 ft. height and 800 ft. by 125 ft. in area, to be occupied as grandstand as an addition to the existing grandstand erected in 1940 under New Building Application No. 9823-39 and for which Certificate of Occupancy No. 11895 was issued June 7, 1940; and

WHEREAS, the applicant contends that the new grandstand is in the same location as the buildings that are to be demolished and which come in the bed of 108th street, 149th avenue and Peconic street; that the recent grade crossing elimination of the Long Island Railroad has not provided an underpass at 149th avenue, indicating that this street will not be opened; and

WHEREAS, the applicant has filed a copy of the communication dated September 9, 1940, addressed to the borough superintendent of buildings by the engineer-in-charge of the Topographical Bureau, Queens, wherein it is stated that there is no condemnation proceeding pending nor is there one contemplated for the legal opening of any of these streets, and that the legal opening of Peconic street would disturb the property of the New York Water Service Corporation, which has numerous wells located thereon; that it is not believed that any of the proposed streets will be opened until the race track is abandoned.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5951-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the powers granted the Board under section 35 of the General City Law, so as to permit the construction of the proposed grandstand within the bed of mapped streets, *on condition* that in all other respects the structure and occupancy shall comply with all laws, rules and regulations applicable thereto, and that in the event the beds of the streets are acquired by the city for street purposes, that no claim shall be made for an award for the value of such structure erected in the bed of such streets.

* Correction—The objection appealed from, under N.B. No. 5951-40, changed to read “1. *The proposed location of the structure, in the bed of mapped streets, is not permitted.*”

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to November 19, 1940.

Cal. No. Department. Premises Affected.

1076-40-A.....H.B.M....161 West 36th street and 485
Seventh avenue, northeast cor-
ner (Block No. 812, Lot No.
1), Borough of Manhattan,
B.N. 4016-40.

1077-40-A.....H.B.B....468 East 54th street, west side,
140 ft. north of Beverly road
(Block No. 4738, Lot No.
27), Borough of Brooklyn,
N.B. 2021-40.

1078-40-A.....H.B.Q.....52-15 Grand avenue, north side,
465.30 ft. east of 49th (Owens)
street (Block No. 2594, Lot
Nos. 1 and 34, Block No.
2593, Lot Nos. 1 and 34,
Block No. 2605, Lot No. 1, and
Block No. 2606, Lot No. 1),
Maspeth, Borough of Queens
(under section 35, General
City Law—re bed of mapped
street), N.B. 6616-40.

1079-40-A.....F.D.....100-102 Worth street, south side,
175 ft. east of Broadway
(Block No. 157, Lot No. 12),
Borough of Manhattan,
7603-L.F. and Decision.

1080-40-BZ....H.B.Bx....3490-3496 Jerome avenue, east
side, 20 ft. south of Gun Hill
road (Block No. 3327-A, part
of Lot Nos. 109 and 111),
Borough of The Bronx,
Decision—re Certificate of
Occupancy.

1081-40-BZ....H.B.B....1783-1789 Sheepshead Bay road,
northeast corner of Emmons
avenue (Block No. 7492, part
of Lot No. 45), Borough of
Brooklyn, Alt. 945-40.

1082-40-A.....H.B.B....444 86th street, south side, 337
ft. 13/8 in. east of Fourth ave-
nue (Block No. 6045, Lot No.
24), Borough of Brooklyn,
Amendment to Alt. 3372-40.

1083-40-SM.....U.S. Gypsum Pyrobar Fireproof-
ing, manufactured by U.S.
Gypsum Company, Material.

1084-40-BZ....H.B.Q.....150-63 131st street, blocks bounded
by 150th avenue, 155th avenue,
134th street and 131st street

(Block No. 2718, Lot No. 1,
and Block No. 2720, Lot No.
24), Jamaica, Borough of
Queens, N.B. 5967-40.

1085-40-BZ....H.B.Q.....150-54 134th street, blocks bounded
by 150th avenue, 155th avenue,
134th street and 131st street
(Block No. 2718, Lot No. 1,
and Block No. 2720, Lot No.
1), Jamaica, Borough of
Queens, N.B. 4793-40.

1086-40-SM.....Flintkote Floormix and Flintkote
C-13-HPC and N-13-F (floor
resurfacing), manufactured by
The Flintkote Company,
Material.

1087-40-A.....H.B.M....865 Tenth avenue and 500 West
57th street, southwest corner
(Block No. 1085, Lot No.
36), Borough of Manhattan,
Decision—re N.B. 516-12 and
Alt. 3224-40.

1088-40-SA.....General Elevator Company, In-
corporated, Elevator Oil Buf-
fer, Appliance.

1089-40-A.....H.B.B....33 Exeter street, east side, 256
ft. south of Shore road (Block
No. 7516, Lot No. 1272), Bor-
ough of Brooklyn,
Alt. 5107-40.

1090-40-BZ....H.B.Bx....2757-2759 Eastern boulevard,
north side, 25 ft. west of
Swinton avenue (Block No.
5307, Lot Nos. 38, 46 and 49),
Borough of The Bronx,
N.B. 945-40.

1091-40-A.....F.D.....249-255 Mulberry street and 46-
52 Prince street, southwest
corner (Block No. 495, Lot
No. 20), Borough of Man-
hattan,
23423-L.C., 23719-L.C. and
Decision.

1092-40-A.....H.B.B....388-390 Court street, southwest
corner of Carroll street (Block
No. 356, Lot No. 27), Bor-
ough of Brooklyn,
Decision—re Certificate of
Occupancy No. 2002, Alt.
83-29 and Alt. 5481-40.

1093-40-A.....H.B.B....1807 Bath avenue, northwest cor-
ner of Bay 19th street (Block

CALENDAR

No. 6403, Lot No. 1), Borough of Brooklyn,
Alt. 5169-40 and Viol. 3601-40.

1094-40-SM.....Hope's Automatic Closing Device for Side Hinged Casement Windows, manufactured by Hope's Windows, Incorporated, Material.

1095-40-SM.....Plaston (stucco material), manufactured by Louis Liggio, Material.

1096-40-SM.....Acoustic Plaston (acoustic plaster), manufactured by Louis Liggio, Material.

1097-40-A.....H.B.B.....470 86th street (472 displayed), south side, 97 ft. 1¼ in. west of Fifth avenue (Block No. 6045, Lot No. 34), Borough of Brooklyn, Alt. 3383-39.

1098-40-BZ.....H.B.R.....325 St. Marks place and 35 Hyatt street, northeast corner (Block No. 8, Lot No. 1), St. George, Borough of Richmond, B.N. 773-40.

1099-40-A.....F.D.....212-216 West 48th street, south side, 140.4 ft. west of Broadway (Block No. 1019, Lot No. 46), Borough of Manhattan, 23289-L.C. and Decision.

1100-40-A.....H.B.Q.....80-40 Cooper avenue, south side, 422 ft. east of 80th street (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street), Alt. 2713-40.

1101-40-A.....F.D.....2581 Richmond Terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond, 21189-L.C. and Decision.

1102-40-A.....H.B.M.....108-110 West 16th street, south side, 100 ft. west of Sixth avenue (Block No. 791, Lot Nos. 48 and 49), Borough of Manhattan, Alt. 2783-40.

1103-40-A.....H.B.M.....521 Park avenue and 101-105 East 60th street, northeast corner (Block No. 1395, Lot

No. 1), Borough of Manhattan, Viol. 6676-40.

1104-40-BZ.....H.B.B.....149-157 33rd street, north side, 80 ft. west of Fourth avenue (Block No. 680, Lot No. 49), Borough of Brooklyn, B.N. 1011-40.

1105-40-BZ.....H.B.B.....624-634 Hegeman avenue and 718-728 Bradford street, southwest corner (Block No. 4326, Lot No. 6), Borough of Brooklyn, D.C. Applic. 1404-40.

1106-40-SM.....Hawkspread White Finish Lime, Ohio White Finish Lime, Ohio Ritewall Hair Fibred Base Coat Plaster and Ohio Sanlime Colored (interior finishes), manufactured by Ohio Hydrate and Supply Company, Material.

Restored to Calendar.

872-39-BZ.....H.B.B.....7001-7019 Bay parkway, southwest corner of West 10th street, and 1-21 Avenue O (Block No. 6574, Lot No. 6), Borough of Brooklyn, Alt. 2674-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On November 15, 1940, certiorari order was served on the Board by Newman & Newman, attorneys, on behalf of George Wollenweber, Jr., as Executor, etc., and Irving M. Berry, objectors, in re amendment of resolution granted by the Board on October 8, 1940, Cal. No. 891-23-BZ, premises 188-238 Empire boulevard, Borough of Brooklyn.

* * * * *

On November 18, 1940, certiorari order was served on Board by Hughes, Richards, Hubbard & Ewing, attorneys, on behalf of Mortgage Corporation of New York, applicants, in re decision of Board of October 1, 1940, denying use of existing building in residence district for repair shop and manufacture of signs, Cal. No. 393-40-BZ, premises 45-29 to 45-35 50th street, Woodside, Borough of Queens.

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Concrete Masonry Units, Rules for Manufacture, Testing and Use of.....	Aug. 27, 1940—Vol. 25, No. 35

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NOVEMBER 26, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 26, 1940, at 10 o'clock, in Room 1013, Municipall Building, Manhattan, on the following matters:*

CAL. NO. 424-17-BZ—Application of John T. Dooling, applicant and owner (Fordham Motor Sales, Incorporated, lessee), reopened September 12, 1939, under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a motor vehicle repair shop; premises 565 East Fordham road and 2545 Hoffman street, northwest corner (Block No. 3273, Lot No. 293), Borough of The Bronx.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, reopened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the

erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

CAL. NO. 690-40-BZ—Application, June 25, 1940, under section 7h of the building zone resolution of John McBride, applicant and lessee on behalf of Fordbrad Realty Company, Incorporated, owner, to permit in a business use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; premises 91-01 Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1) Jackson Heights, Borough of Queens.

CAL. NO. 416-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution of William Sambur, applicant, on behalf of Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

CAL. NO. 1321-39-BZ—Application, October 26, 1939, under sections 7h and 21 of the building zone resolution, of Anna Weschler, applicant and lessee, on behalf of Bernard Flood, owner, to permit, partly in residence use district and partly in business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47) Flushing, Borough of Queens.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuhs Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

CAL. NO. 695-40-BZ—Application, June 24, 1940, under section 21 of the building zone resolution of Abraham Green, applicant, on behalf of Manhattan Storage and Warehouse Company, owner, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles; premises 148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lots Nos. 56 and 156), Borough of Manhattan.

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CAL. NO. 329-37-BZ—Application of William Shary, applicant, on behalf of P. & A. D. Rubin, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for a multiple dwelling with stores, located partly in a business use district and partly in a residence use district, and previously granted by the Board; premises 888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

1101-40-A—2481 Richmond Terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

DECEMBER 3, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 224-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Hanover Service Station, Incorporated, owner, reopened September 17, 1940, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied under section 21 of the building zone resolution); premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 1182-39-BZ—Application, September 26, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Post Sherman Corporation, owner (Abraham Rubenstein, lessee), to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

CAL. NO. 285-36-BZ—Application of Frederick W. Rothamel, applicant, on behalf of Otto Gebhardt, owner (Revonah Laundry, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit in a business use district the storage of more than five (5) motor vehicles (previously granted on condition—re change of occupancy of an existing building to a garage for more than five (5) motor vehicles, motor vehicle repair shop and, also, gasoline service station); premises 72-27 Cypress Hills street, northeast side, 199.41 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 26, 1940, 2 P. M.

Appeals from Administrative Decisions.

994-40-A—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn.

858-40-A—321-331 East 70th street, north side, 175 ft. west of First avenue (Block No. 1445, Lot Nos. 14 to 19, inclusive), Borough of Manhattan.

CAL. NO. 879-40-BZ—Application, August 30, 1940, under section 21 of the building zone resolution, of H. I. Feldman, applicant, on behalf of Boiaz Realty Corporation, owner, to permit in a residence use district the alteration and conversion of occupancy of part of a multiple dwelling to business use (stores); premises 2081 Grand Concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx.

1067-40-A—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.

354-40-A—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5)

969-40-A—366 Kingston avenue, west side, 100 ft. 6 in. (95 ft. 6 in.) north of Crown street (Block No. 1292, Lot No. 44), Borough of Brooklyn.

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motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 512-40-BZ—Application, May 14, 1940, under sections 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of a building to a motor vehicle repair shop; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue, and 1409 Blondell avenue (Block No. 4074, Lot Nos. 22 and 29), Borough of The Bronx.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 97-37-BZ—Application of Theodore R. Feinberg, applicant, on behalf of Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee), reopened October 8, 1940, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 1028-40-BZ—Application, October 24, 1940, under sections 21 and 7a of the building zone resolution, of Aymar Embury II, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the alteration and extension of business buildings used in conjunction with a race track; premises 163-24 and 165-10 Baisley boulevard, south side, 200 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

1029-40-A—165-10 Baisley boulevard, south side, 480 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street).

1019-40-A—102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Charman.*

DECEMBER 3, 1940, 2 P. M.

Appeal from Administrative Decision.

992-40-A—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.

DECEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue,

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of the building zone resolution, *Tuesday morning, December 10, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 260-40-BZ—Application, March 5, 1940, under section 7i of the building zone resolution, of Paul Carchiolo and Nils Jensen, applicants and lessees, on behalf of Sadie Rosen, owner, to permit on the business portion of a plot, located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 5501-5513 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn.

CAL. NO. 521-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution, of Abraham Saul, applicant and owner, to permit in a residence use district and, also, "E" area district, the maintenance of an extension at the rear of the second story of an existing dwelling; said extension does not comply with "E" area requirements; premises 1818 East 29th street, west side, 126 ft. south of Avenue R (Block No. 6834, Lot No. 10), Borough of Brooklyn.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 1016-40-BZ—Application, October 23, 1940, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Kauffman Lewenthal Realty Company, owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store); premises 649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan.

CAL. NO. 278-40-BZ—Application of William R. Altman, applicant, on behalf of One Jumel Realty Corporation, owner, reopened November 8, 1939, under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) from garage use to a motor vehicle repair shop; premises 441 West 167th street and 1 Jumel place, northeast corner (Block No. 2112, Lot No. 58), Borough of Manhattan.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1078-40-A—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

CALENDAR

DECEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1090-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 977-40-BZ—Application, October 8, 1940, under section 21 of the building zone resolution, of James A. Boyle, applicant, on behalf of William M. Calder Company, owner, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or show rooms located more than 25 ft. from the intersecting street; premises 3047 Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn.

CAL. NO. 865-40-BZ—Application, August 21, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 304-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of J. M. Berlinger, applicant, on behalf of F. W. Realty Corporation, owner, to permit in a residence use

district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (stores); premises 11-15 West 8th street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

CAL. NO. 1021-40-BZ—Application, October 24, 1940, under section 21 of the building zone resolution, of Leon J. Shapiro, applicant, on behalf of Robert Bass, owner, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more than 25 ft. from the corner of the street; premises 464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

1004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

1100-40-A—80-40 Cooper avenue, south side, 422 ft. east of 80th street (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street).

JANUARY 14, 1941, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance

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of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, NOVEMBER 19, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Wednesday morning, November 6, 1940, and the minutes of the regular meeting of the Board held on Wednesday afternoon, November 6, 1940, were approved as printed in Bulletin No. 46, Volume 25.

BUILDING ZONE CASES.

94-38-BZ.

APPLICANT—William L. Schrauth and Earl J. Helmick, for Jeho Company, Incorporated, owner.

SUBJECT—Application reopened July 16, 1940, for rehearing (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—89-04 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Schrauth.

For Opposition: Jacob Garlick, Raphael Kasper, Lloyd S. Snedeker and G. F. Partrick.

ACTION OF BOARD—Laid over to December 3, 1940, at 10 A.M., for decision by the Board without further argument.

489-38-BZ.

APPLICANT—Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application reopened October 3, 1940, under section 21 of the building zone resolution (re decision of the borough superintendent of buildings), to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board).

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to December 3, 1940, at 10 A.M., for further consideration by the Board.

249-39-BZ.

APPLICANT—Lama and Proskauer, for Koppers Company, owner.

SUBJECT—Application reopened and restored to Calendar September 17, 1940 (re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—84-11 to 84-21 Astoria boulevard, 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and A. J. Whalen.

For Opposition: None.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., for additional information from applicant and for further consideration by the Board.

351-40-BZ.

APPLICANT—William F. Regan (applicant), for William F. Regan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph T. Kearney and William F. Regan (applicant) and William F. Regan (owner).

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M., for proper notification of affected property owners not later than December 5, 1940.

375-40-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for Walter A. Beudel, owner (Beudel Brothers, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence use district the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher, Lauritz Lauritzen and Walter A. Beudel.

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For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to December 3, 1940, at 10 A.M., for conference with the Board by applicant and architect as to plans filed.

812-40-BZ.

APPLICANT—Arthur H. Haaren, for Edlar Realty Corporation, owner (Alex White, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Applicant: John G. Coleman, E. Calder and Arthur H. Haaren.

For Opposition: None.

ACTION OF BOARD—Laid over to December 10, 1940, at 10 A.M., pending filing of plans by applicant and further consideration by the Board.

297-40-BZ.

APPLICANT—Henry Nordheim, for The Mutual Life Insurance Company, owner (Louver Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1407-1419 College avenue, west side, 215 ft. south of East 171st street (Block No. 2786, parts of Lot Nos. 2, 6 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn without argument on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

398-40-BZ.

APPLICANT—Anthony M. DeRose, for Nuarb Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths.

PREMISES AFFECTED—940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

For Administration: M. Thiede, Department of Housing and Buildings, and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(398-40-BZ)

WHEREAS, Anthony M. DeRose, for Nuarb Realty Company, owner, filed April 16, 1940, an application under section 21 of the building zone resolution, to permit in an F area residence use district the maintenance of a dwelling without the required setback and with side yards less than the required widths; premises 940 Metcalf avenue, east side, 176 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 20), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and area district maps accompanying the building zone resolution show that Metcalf avenue is in a residence use F area district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 121-39, dated April 4, 1940, reads:

"1. Objection not removed. 'Building does not conform to area district F requirements. Section 16, building zone resolution, examination not further considered.'"

and

WHEREAS, the premises consist of a plot of ground with a frontage of 34 ft. 6 in. on Metcalf avenue and a depth of 100 ft., on which there exists a three-story and attic building, 18 ft. by 50 ft. in area, to be occupied by two families; the building does not conform to the residence use F area district requirements in that the building is set on the building line instead of the required 15 ft. setback, the side court is 3 ft. 11¼ in. instead of the required 5 ft., and the percentage of the lot occupied is 28.4 at the first and second stories and 19.7 at the third story; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, it appears that a certificate of occupancy has been issued by the borough superintendent of buildings; and

WHEREAS, the Board deemed that until such certificate of occupancy is revoked, the variance of the zoning resolution applied for should not be entertained.

Resolved, that the application be and it hereby is dismissed as being improperly before the Board.

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Application reopened June 4, 1940 (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs extending from business use district into a residence use district and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17a of the building zone resolution.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and George A. Marshall.

For Opposition: Lawrence Guion.

ACTION OF BOARD—Application denied.

MINUTES

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

THE RESOLUTION—

(330-22-BZ)

WHEREAS, this application, to permit, partly in a business use district and partly in a residence use district, the erection of a building, partly used for business purposes, premises 1665 East 17th street, Borough of Brooklyn, was granted by the Board May 2, 1922, on certain conditions, the resolution amended June 27, 1922, and April 5, 1938; and

WHEREAS, Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), requested reopening of the application, to permit, under sections 7c and 21 of the building zone resolution, the extension and change of use of the existing building occupied as bowling alleys, library, stores, auditorium and meeting room, to stores, motion picture theatre with marquee and signs extending from business use district into residence use district, and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted under section 17a of the building zone resolution; premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn; and

WHEREAS, this application was reopened by vote of the Board June 4, 1940, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings highway is in a business use district; East 17th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3935-40, dated August 2, 1940, reads:

"1. Original building, partially in a business and partially in a residence use district was granted by the Board of Standards and Appeals under Cal. No. 330-22-BZ. The proposed extension and change of use to stores and theatre, with marquee and signs, and therefore contrary to Art. II, Sec. 3 of the Building Zone Resolution; also, the proposed extension occupies, in the residence use portion, the rear yard required by Art. IV, Sec. 17(a) of the Building Zone Resolution.

2. The proposed change of occupancy of a Class 3 building over 10 feet high to a motion picture theatre is contrary to Sec. 2.1.3.5 and Sec. 4.2.1 of the Building Code."

and

WHEREAS, the premises consist of a plot of ground 71 ft. by 100 ft. in area, on which is located a three-story non-fireproof building, 60 ft. by 90 ft. in area, occupied as bowling alleys, library, two stores, auditorium and meeting room; it is proposed to change the occupancy of the building to two stores, motion picture theatre for less than 600 seats and projection room; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of section 7, subdivision c. of the building zone resolution, and, further, that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3935-40, be and it hereby is affirmed and that the application be and it hereby is denied.

562-32-BZ.

APPLICANT—Lama and Proskauer, for Silgreen Holding Corporation, owner.

SUBJECT—Application reopened November 15, 1939 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—208-16 Foch boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(562-32-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises southwest corner of Foch boulevard and Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens, was granted by the Board March 21, 1933, for a period of five (5) years; and

WHEREAS, Theodore R. Feinberg, for Silgreen Holding Corporation, owner, requested an extension of the permit, which permit had expired by limitation; and

WHEREAS, this application was reopened by vote of the Board November 15, 1938, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Springfield boulevard and Foch boulevard are in business use districts; Nashville avenue and 117th road are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 2795-1933, reads:

"Since the period of 5 years allowed by the Board of Standards and Appeals in its resolution of March 21, 1933, has now expired, it is necessary to secure a further extension by the Board of the permit for the above premises."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Springfield boulevard and 100 ft. on Foch boulevard, occupied as a gasoline service station (previously granted by the Board for a temporary period of five [5] years, which temporary period has expired); it is proposed to maintain the use of the premises as a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on March 21, 1933, so that as amended the resolution shall read:

"Granted for a term of ten (10) years, under section 7f of the building zone resolution, to permit the site to be continued as a gasoline service station, on condition that there shall be erected on the southerly and westerly lot lines, except where walls of existing accessory buildings occur, a masonry wall constructed of face brick on both sides, not less than 6 ft. in height; that such wall may be reduced to a height of 4 ft. for a distance within 10 ft. of either street building line; that the wall shall be extended along the building line of Springfield boule-

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ward toward the southeast corner for a distance of 20 ft., as shown on revised plans marked 'Received November 16, 1940'; that existing pumps shall be relocated so as to be not nearer than 15 ft. to either street building line; that the curb cuts shall not exceed two cuts, each 30 ft. in width, to Foch boulevard; that any existing curb cuts exceeding these dimensions shall be filled and the curbs restored; that no portion of any curb cuts shall be nearer than 5 ft. to the side lot line as extended and not nearer than 10 ft. to the corner of Foch boulevard and Springfield boulevard; that the entrances to Springfield boulevard shall not exceed two, each 30 ft. in width; that when the curbs are constructed or restored along Springfield boulevard, no part of such curb cut shall be nearer than 10 ft. to the interior lot line to the south as extended nor 10 ft. from the intersection of Foch boulevard and Springfield boulevard; that there shall be constructed at the intersection of Springfield boulevard and Foch boulevard an area not less than 10 ft. along each street line, triangular in shape, protected by a concrete curbing not less than 6 in. by 6 in. and shall be suitably planted; that planting shall also be maintained as indicated to the south and west; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the balance of the lot where not occupied by accessory building, pumps and planting, shall be surfaced with concrete paving, Colprovia or other suitable impervious material; that the existing accessory building as permitted in the resolution adopted by the Board March 21, 1933, shall not be increased in height or area; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

362-34-BZ.

APPLICANT—Abraham N. Horwitz, for 1230 Jerome Avenue Corporation, owner.

SUBJECT—Application reopened October 8, 1940, for consideration as to extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham N. Horwitz and S. Surkis.

For Opposition: Jennie Brac, Milton Kleinman and Leo Alster.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(362-34-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles, premises 1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx,

was granted by the Board September 17, 1935, for a temporary period of two (2) years on certain conditions, the resolution amended September 14, 1937; and

WHEREAS, Abraham N. Horwitz, for 1230 Jerome Avenue Corporation, owner, requested reopening of the application and extension of the permit, which permit had expired by limitation; and

WHEREAS, this application was reopened by vote of the Board October 8, 1940, so as to permit the required publications in the Bulletin of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of September 17, 1935, as amended by resolution adopted September 14, 1937, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations and that the application be and it hereby is granted under section 21 for a period of two (2) years from the date of this amended resolution, permitting the existing building to be used as a storage garage for not over fifteen (15) motor vehicles and permitting the two brake testing machines now installed to be continued, on condition that no motor vehicle repairing shall be carried on other than that involved in the testing and adjusting of brakes, and granted only as long as these conditions are maintained."

399-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required widths and to occupy a greater area of the lot than permitted.

PREMISES AFFECTED—942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

For Administration: M. Thiede, Department of Housing and Buildings, and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(399-40-BZ)

WHEREAS, Anthony M. DeRose, for Marie Braun, owner, filed April 16, 1940, an application under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required widths and to occupy a greater area of the lot than permitted; premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block No. 3659, Lot No. 21), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metcalf avenue is in a residence use and F area district; and

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WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 779-39, dated April 4, 1940, reads:

"1. Objection not removed. Building does not conform to Area District F requirements. Sec. 16, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 25 ft. 1 in. and a depth of 100 ft., on which has been placed a one-story building, 20 ft. by 53 ft. 2 in. in area, to be occupied as a one-family dwelling; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of temporary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, for a term of five (5) years, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and on the *further condition* that the building shall not be erected nearer to the street building line of Metcalf avenue than 5 ft.; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

400-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the maintenance of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width.

PREMISES AFFECTED—944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

For Administration: M. Thiede, Department of Housing and Buildings, and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(400-40-BZ)

WHEREAS, Anthony M. DeRose, for Marie Braun, owner, filed April 16, 1940, an application under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling exceeding the area of coverage permitted to be set back from the building line less than the required 15 ft. and to be provided with a side yard of less than the required width; premises 944 Metcalf avenue, east side, 124.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 22), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metcalf avenue is in a residence use and F area district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 506-39, dated November 16, 1939, reads:

"This is to notify you that Alteration Application and Permit No. 506-39, approved October 13, 1939, are hereby revoked, under Sec. C26.180.0 of the Administrative Code, for the reason that a false statement was made in the application.

The application refers to District (under the Building Zone Resolution) as being in a business use district, 1¼ Height District and C area District, whereas the zoning maps show the premises as being located in a residence use district, ½ Height District and F area District.

You are hereby directed to stop all work being done under said application forthwith."

and

WHEREAS, the premises consist of a plot of ground 26 ft. 10 in. by 100 ft. in area, on which is located a one-story building, to be occupied as a one-family dwelling; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of temporary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the building shall not be increased in height or area and that no extension shall be constructed nearer to the building line than exists at present; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

401-40-BZ.

APPLICANT—Anthony M. DeRose, for Marie Braun, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required.

PREMISES AFFECTED—946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose and Frank C. Braun.

For Opposition: None.

For Administration: M. Thiede, Department of Housing and Buildings, and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(401-40-BZ)

WHEREAS, Anthony M. DeRose, for Marie Braun, owner, filed April 16, 1940, an application under section 21 of the building zone resolution, to permit in an F area residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required; premises 946 Metcalf avenue, east side, 94.42 ft. south of

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Eastern boulevard (Block No. 3659, Lot No. 23), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and area district maps accompanying the building zone resolution show that Metcalf avenue is in a residence use and F area district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 752-39, dated April 4, 1940, reads:

"1. Objection not removed. Building does not conform to Area District F requirements. Sec. 16, Building Zone Resolution. Examination not further considered."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 30 ft. and a depth of 100 ft., on which is to be placed a one-story building, 20 ft. 2 in. by 44 ft. in area, to be occupied as a one-family dwelling; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of temporary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, for a term of five (5) years, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and on the *further condition* that the building shall not be erected nearer to the street building line of Metcalf avenue than 5 ft.; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this resolution.

672-40-BZ.

APPLICANT—Joseph B. Lynch, for Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the removal of existing buildings and replacement with new buildings and relocation of pumps on an existing gasoline service station.

PREMISES AFFECTED—413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blumand Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(672-40-BZ)

WHEREAS, Joseph B. Lynch, for Mary DuBritz and Rose DuBritz, owners (Colonial Beacon Oil Company, lessee), filed June 20, 1940, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the removal of existing building and replacement with new buildings and relocation of pumps in an existing gasoline service station; premises 413-419 Empire boulevard and 458-464 New York avenue, northwest corner (Block No. 1309, Lot No. 120), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New York avenue and Empire boulevard are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 2608-40, dated June 7, 1940, reads:

"Proposed new building to be used as office, auto laundry and lubratory to be erected on existing gasoline service station, located in a business zone is contrary to Article II, Section 4a (46) of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground 67 ft. 4 3/4 in. by 53 ft. 2 in. in area, on which is located a one-story building, two pumps and an existing gasoline service station; it is proposed to remove the present building and pumps and to erect a new building to be used for office and rest room, heater room and lubratorium; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the reconstruction and rearrangement of the legally existing gasoline service station substantially as indicated on revised plans marked "Received June 20, 1940," *on condition* that all existing buildings shall be entirely removed and the new accessory building shall be erected toward the northwest corner of the premises as indicated; that such building shall not exceed one story in height and shall be constructed of incombustible materials, except that the roof beams and boarding, door frames and doors, window frames and sash may be of wood and provided that the ceiling throughout is fire-retarded in accordance with the rules of the Board; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that there shall be no window openings to adjoining premises to the west; that there shall be no doors to the greasing section unless the equipment is of the hydraulic type or unless the ventilating system is constructed with ducts from the bottom of the greasing pit exhausting through the roof; that any fan or blower shall be of a type as approved for explosive atmospheres; that there shall be erected along the westerly lot line and northerly lot line a masonry wall not less than 6 ft. in height constructed of common brick or cement block stuccoed on both sides and properly coped; that such wall may be reduced to 4 ft. in height for a distance of 10 ft. back from either street building line; that a gate may be installed in such wall where indicated to Malbone street; that there shall be constructed at the intersection of Empire boulevard and New York avenue a triangular block of concrete not less than 1 ft. in height and extending not less than 5 ft. along either street building line; that entrances to the premises shall consist of not more than two curb cuts from Empire boulevard, not exceeding 28 ft. in width each, and two curb cuts to New York avenue not exceeding 20 ft. in width each; that no part of any curb cut shall be nearer than 3 ft. to the building line as extended; that no pumps shall be erected nearer than 10 ft. to Empire boulevard or 15 ft. to New York avenue; that the premises where not covered by accessory building and pumps shall be cement paved or surfaced with Colprovia or other suitable impervious material; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the

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building line of two post standards, each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that there shall be no parking or storage of cars other than those being serviced; that there shall be no motor vehicle repairing done on the premises; that no portable gasoline pumps shall be used on or in front of the premises; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

843-40-BZ.

APPLICANT—Daer Properties, Incorporated, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7c of the building zone resolution, to permit in a residence use district, extending from a business use district, the alteration of an existing multiple dwelling with stores on the first story so as to provide additional store use in the residence use district.

PREMISES AFFECTED—147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: William S. Read.

For Opposition: Sam S. Kaplen.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(843-40-BZ)

WHEREAS, Daer Properties, Incorporated, owner, filed August 6, 1940, an application under section 7c of the building zone resolution, to permit in a residence use district, extending from a business use district, the alteration of an existing multiple dwelling with stores on the first story so as to provide additional store use in the residence use district; premises 147-149 West Tremont avenue and 1796-1806 University avenue, northeast corner (Block No. 2868, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West Tremont avenue and University avenue are in business and residence use districts; Harrison avenue is in a residence and business use district; Morton place is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 83-1939, dated August 1, 1940, reads:

"1. Portion of building in which alteration for stores is proposed, is located in a residence district. Alteration is contrary to provisions of Article 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the existing building is six stories in height, of non-fireproof construction, with a frontage of 83 ft. 2 in. on West Tremont avenue and approximately 160 ft. on University avenue, occupied as a Class A multiple dwelling with stores on part of the first story; the north portion of the building extends into the residence use district for a distance of approximately 15 ft. and the remainder is located in a business use district; it is proposed to extend the area of the northerly store, part of which proposed extension to be located in the residence use district; the area covered by the

proposed extension is now occupied partly as a court and partly for residence use; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, to permit, in part, the extension of business use as proposed, into the more restricted area, on condition that the existing building shall not be increased in height or area; that no additional show windows shall be erected on University avenue; that the space now occupied for residential purposes or uses accessory thereto, shall not be decreased, and that the extension of business use herein permitted shall be restricted to the portion of the existing building within the residence use area now occupied as a part of the restaurant on University avenue; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

925-40-BZ.

APPLICANT—I. L. Crausman, for Gelson Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along a street abutting a residence use district.

PREMISES AFFECTED—4349-4351 Broadway and 706 West 186th street, southwest corner (Block No. 2180, part of Lot No. 135), Borough of Manhattan.

APPEARANCES—

For Applicant: I. L. Crausman and Joseph Geltman.

For Opposition: John R. Jones.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(925-40-BZ)

WHEREAS, I. L. Crausman, for Gelson Realty Corporation, owner, filed September 18, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the erection of a business building (stores) with show windows and entrances extending more than 25 ft. along the street abutting a residence use district; premises 4349-4351 Broadway and 706 East 186th street, southwest corner (Block No. 2180, part of Lot No. 35), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; Bennet avenue and West 186th street are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 116-40, dated August 30, 1940, reads:

"Amendment disapproved August 30, 1940. Proposed erection of a building abutting a residence district and containing store with show windows and entrance ex-

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tending more than 25 feet into intersecting street is in violation of Sec. 191 h of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on West 186th street and 47.56 ft. on Broadway, on which it is proposed to erect a one-story, Class 3 building, covering the entire area of the lot, to be occupied for stores; three stores will be erected on the Broadway front having a depth of 43 ft. 3 in. from Broadway, and a rear portion of the lot will be developed with five stores, extending along the 186th street frontage; each store will have a separate entrance leading to 186th street and all of the five stores will have entrances and show windows located more than 25 ft. distant from Broadway; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 116-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS.

553-37-A.

APPLICANT—Benjamin Saltzman, for Department of Housing and Buildings, Borough of Brooklyn.

SUBJECT—Application for revocation of Certificate of Occupancy No. 47150 and Permit No. 7488-27 issued by the commissioner of buildings—re maintenance of a gasoline service station and auto accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard Trencher.

ACTION OF BOARD—Laid over to February 18, 1941, at 10 A.M., on request of applicant.

602-40-A.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Appeal withdrawn without argument on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

Adjourned, 1:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, NOVEMBER 19, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

872-39-BZ.

APPLICANT—Theodore R. Feinberg, for Berk Bres Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar (decision of the borough superintendent of buildings), under sections 7a and 7h of the building zone resolution, to permit in a business use district the proposed extension of accessory building on premises used as gasoline service station, also the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—7001-7019 Bay parkway and 1-21 Avenue O, southwest corner (Block No. 6574, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

1530-39-BZ.

APPLICANT—Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a retail use district the conversion of occupancy of a frame building containing a cow stable and hay loft to riding academy and stable for more than five (5) horses and hay loft.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Morris Perlstein, P. Marino Lester, C. Ringe and Harold Holzhauser.

For Opposition: Victor D. Borst, Jr., Wm. S. Sperling, John P. McKenna, Patrolman William J. Connolly and D. E. Meriness.

For Administration: Nicholas A. Post, Health Department, and Frank Lenci, Department of Investigation.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1530-39-BZ)

WHEREAS, Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee), filed December 21, 1939, an application under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a retail use district, the conversion of occupancy of a frame building containing a cow stable and hay loft to a riding academy, stable for more than five (5) horses and hay loft; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 19, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 70th drive is in residence, retail, business and unrestricted use districts; Sybilla street is in business, unrestricted and retail use districts; Walnut street is in residence and retail use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 1412-1939, dated November 27, 1939, reads:

"1. Converting a frame building containing a cow stable and hay loft to riding academy and stable for 15 horses and hay loft contrary to zone resolution Art. 2, Sec. 4, Sub. Div. 36 and also contrary to Art. 5, Sec. 4.1.2—Bldg. Code."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 114.21 ft. on 70th drive, 10 ft. 6 in. along the north lot line and 100.8 ft. along east lot line; upon the plot there is located a two-story frame building having a frontage of 37 ft. on 70th drive, a distance of 10 ft. 6 in. along the north lot line and a distance of 71 ft. along the east lot line; the building was formerly occupied as a cow barn for forty (40) cows and is now occupied as a riding academy and stable for more than five (5) horses; it is proposed to maintain this stable use; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent of buildings, acting on Application No. 1412-39, Objection No. 1, be and it hereby is *modified* and that the application be and it hereby is *granted*, under section 7e, to permit the continuation of the use as a riding stable for a term of one (1) year from date of this action, *on condition* that the building is not increased in height or area and complies with the requirements of the Health Department and the Department of Housing and Buildings therefor and, also, complies with the requirements of the resolution adopted by the Board under this date under Cal. No. 670-40-A.

272-22-BZ.

APPLICANT—J. M. Silvey, for 6902-6908 Queens Boulevard, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), previously granted on condition under section 7e of the building zone resolution, permitting in a business use district the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southeast corner of Queens boulevard and Fiske avenue (Block No. 1523, Lot No. 9), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: J. M. Silvey.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(272-22-BZ)

WHEREAS, this application, to permit in a business use district, under section 7e of the building zone resolution, the erection of a garage for more than five (5) motor vehicles, premises southeast corner of Queens boulevard and Fiske avenue (Block No. 1523, Lot No. 9), Woodside, Borough

of Queens, was granted by the Board May 23, 1922, on certain conditions; and

WHEREAS, J. M. Silvey, for 6902-6908 Queens Boulevard, Incorporated, present owner, requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on May 23, 1922, by adding thereto:

"that in the event this building is occupied as a service station for the sale of new or used cars and the owner desires to occupy the space within the unrestricted district in the rear for a depth not exceeding 30 ft. for repairing and adjustments of such cars as are sold or taken in trade, such motor vehicle repairing may be permitted."

103-31-BZ.

APPLICANT—Lama and Proskauer, for Aljac Garage and Repair Shop, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the extension of a gasoline service station (previously granted by the Board—re garage for more than five [5] motor vehicles).

PREMISES AFFECTED—124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 218), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(103-31-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles, premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Cuthbert place); (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens, was granted by the Board June 24, 1932; and

WHEREAS, Lama and Proskauer, for Aljac Garage and Repair Shop, Incorporated, owner, requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on November 14, 1939, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"... all permits shall be obtained and all work completed within one (1) year from the date of this *amended resolution*."

354-32-BZ.

APPLICANT—Mae McKeon (Charles A. McKeon, lessee, deceased), Dan-Irv Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the maintenance of parking space for more than five (5) motor vehicles for a temporary period.

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PREMISES AFFECTED—598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward J. O'Connor.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock and Commis-

sioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(354-32-BZ)

WHEREAS, this application, affecting premises 598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn, was granted by the Board November 4, 1932, for a temporary period of two (2) years, on certain conditions, resolution amended January 24, 1933, and December 8, 1936; and

WHEREAS, Mae McKeon, for Dan-Irv Realty Corporation, owner, requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on December 8, 1936, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7, subdivision h thereof, for a temporary term of two (2) years from the date of this amended resolution."

490-37-BZ.

APPLICANT—Jules Lipitz, for Bernard Berkowitz, lessee, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (granted on condition under section 7h—re that portion of plot within the business use district).

PREMISES AFFECTED—246 Nagle avenue, southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lipitz.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock and Commis-

sioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(490-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 246 Nagle avenue, southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan, was granted by the Board October 25, 1938, on certain conditions; and

WHEREAS, Jules Lipitz, for Bernard Berkowitz, for Central Hanover Bank and Trust Company, owner, requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on October 25, 1938,

only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7, subdivision h thereof, for a temporary term of two (2) years from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

858-40-A.

APPLICANT—Frederick P. Kelley, for Lenox Hill Neighborhood Association, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—321-331 East 70th street, north side, 175 ft. west of First avenue (Block No. 1445, Lot Nos. 14 to 19, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 26, 1940, at 2 P.M. No appearance made.

882-40-A.

APPLICANT—D. A. Collins Manufacturing Company, Incorporated (lessee), for Bush Terminal Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Zimen.

ACTION OF BOARD—Laid over to December 17, 1940, at 2 P.M., pending action on Carroll Int. 291 (354).

992-40-A.

APPLICANT—James J. Deegan, for Anton Heiss, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.

APPEARANCES—

For Applicant: James J. Deegan.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to December 3, 1940, at 2 P.M., for Fire Department representative to make inspection.

1004-40-A.

APPLICANT—Oscar Nusser, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to December 17, 1940, at 2 P.M. Applicant to be notified.

1067-40-A.

APPLICANT—Sol. A. Herzog, for Select Photo Company, Incorporated, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.

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APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 26, 1940, at 2 P.M. No appearances made. Applicant to be notified.

862-40-A.

APPLICANT—Max Hirsh, for Barrett Company, owner (Harris Warehouses, Incorporated, lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—East side of Smith street, from Halleck street to Sigourney street (Block No. 493, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Hirsh, Louis Marks and Isidore Meyer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument. Applicant to take matter up with Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

889-40-A.

APPLICANT—Theodore E. Goeller, for 22 Jones Street Corporation, owner (N. Summergrade and Sons, Incorporated, lessees).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—22-24 Jones street, south side, 140 ft. east of Bleecker street (Block No. 590, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore E. Goeller.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

974-40-A.

APPLICANT—Jack Z. Cohen, for Chand Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer and Charles Schiermeister.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

1003-40-A.

APPLICANT—Michael Glick, for Remsark Realty Corporation, owner (Rabbi S. Flaum, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1013 East Tremont avenue, north side, 100 ft. east of Bryant avenue (Block No. 3135, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Glick and Hyman Getzoff.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

1077-40-A.

APPLICANT—Harry A. Yarish, for Morris Siegel, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—468 East 54th street, west side, 140 ft. north of Beverly road (Block No. 4738, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

1087-40-A.

APPLICANT—Edgar J. Moeller, for Trustees of Columbia University of the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—865 Tenth avenue and 500 West 57th street, southwest corner (Block No. 1085, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller and William Whitenack.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

670-40-A.

APPLICANT—Moris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens (under section 35, General City Law—re bed of mapped street).

APPEARANCES—

For Applicant: Morris Perlstein, P. Marino Lester, C. Ringe and Harold Holzhauser.

For Opposition: Victor D. Borst, Jr.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(670-40-A)

WHEREAS, Morris Perlstein, for Providence Marino, owner (Harold Holzhauser, lessee), filed June 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 89-38 70th drive, southeast corner of Sybilla street (Block No. 3899, Lot No. 32), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 1412-39, dated March 13, 1940, reads:

"2. Part of building located in proposed mapped street is contrary to Sec. 35, Art. 3 of the General City Law."

and

WHEREAS, the premises consist of an irregular shaped plot, fronting 121.31 ft. on 70th drive, 10 ft. 6 in. along the north lot line, 100.8 ft. along the east lot line and 75.06 ft. along the south lot line; the building erected thereon is two stories (20 ft.) in height, 37 ft. fronting on 70th drive by 71 ft. in area; occupied as a riding academy and stable for more than five (5) horses on the first story and hay loft on the second story; previously occupied as a cow stable; the premises are located partly in a business use district and partly in a retail use district; and

WHEREAS, the applicant contends that the building was erected in 1914 as a cow stable; that as market production became impossible in the City of New York, the use of this building as a cow stable was discontinued; that the only possible use is that of a riding academy and stable for more than five (5) horses and hay loft as now proposed; that to deny this appeal would prohibit the owner the use of this property.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 1412-39, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under authority given to the Board under section 35 of the General City Law, to permit the continuation of the existing building within the bed of Sybilla street, as indicated on plans filed under Cal. No. 1530-39-BZ, for the term and under the conditions as therein stated, *on condition* that at the expiration of the term of one (1) year that the portion of the building between the bed of Sybilla street shall be removed and no claim for damages made therefor, unless the permit is duly extended by this Board under Cal. No. 1530-39-BZ.

876-40-A.

APPLICANT—Brickner Auto Supply Company, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—5073-5075 Broadway, west side, 238.64 ft. south of West 218th street (Block No. 2243, Lot No. 266), Borough of Manhattan.

APPEARANCES—

For Applicant: Norman Brickner.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(876-40-A)

WHEREAS, Brickner Auto Supply Company, Incorporated, owner, filed August 26, 1940, an appeal from an order of the

fire commissioner; premises 5073-5075 Broadway, west side, 238.64 ft. south of West 218th street (Block No. 2243, Lot No. 266), Borough of Manhattan; and

WHEREAS, the order of the fire commissoiner, Order No. 23200-LC, dated August 20, 1940, reads:

"With reference to your application dated June 25, 1940, for a permit to store small arms ammunition at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Premises in part are used for the storage and sale of paint etc. Sec. C19-38.0-D-5, Article 5 of the Administrative Code.

YOU ARE THEREFORE HEREBY ADVISED TO

(1) Discontinue the storage and sale of ammunition on these premises in excess of 200 small arms cartridges. Sec. C19-38.0-a, Article 5 of the Administrative Code.

Note: Permit required for paint storage if and when quantity exceeds 20 gallons."

and

WHEREAS, the building is two stories (30 ft.) in height, 50 ft. by 100 ft. in area; of Class 3 construction; erected in 1920; located in a business use district, and occupied: cellar, storage of toys and auto parts and paints; first story, retail sales, storage of auto parts and paints and ammunition; second story, retail sale of toys and one-family dwelling; total occupancy throughout, three persons; certificate of occupancy has not been filed; and

WHEREAS, the applicant contends that the maximum amount of paint stored is eighty gallons, in sealed cans, each can being one quart capacity; the ammunition stored is in original packages, with not over 200 packages stored on open shelving, the balance is stored in compartments of a large fireproof safe located on the ground floor; that storage of paints and ammunition in the original packages are not in close proximity, and as the entire premises are occupied by one tenant, it is requested that permission be granted to continue the storage of the ammunition.

Resolved, that the order of the fire commissioner, Order No. 23200-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the ammunition shall be stored solely in a safe, satisfactory to the fire commissioner, and shall not exceed the following quantities: 1,500 rounds of 12, 16 and 20 gauge shells, 3,000 rounds of 22 calibre short and also long rifle and 200 rounds of 32 calibre cartridges, making a total of 4,700 rounds.

883-40-A.

APPLICANT—The American Automatic Sprinkler Company, for Pilgrim Holding Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—827 Sixth avenue (formerly No. 479), west side, 38.8 ft. south of West 29th street (Block No. 804, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Ernest L. Pruden.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(883-40-A)

WHEREAS, The American Automatic Sprinkler Company, for Pilgrim Holding Company, Incorporated, owner, filed August 9, 1940, an appeal from an order and a decision of

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the fire commissioner; premises 827 Sixth avenue (formerly No. 479), west side, 38.8 ft. south of West 29th street (Block No. 804, Lot No. 40), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 5532-LF, dated August 29, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Art. 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 1, 1940; and

WHEREAS, the building is four stories (42 ft.) in height, 20 ft. by 64 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1920, and occupied: cellar, storage of stationery supplies; first story, store and print shop, 8 persons; second story, storage and office, 3 persons; third story, vacant; fourth story, vacant; Certificate of Occupancy No. 12675 was issued July 11, 1927, permitting storage in cellar, store on the first story and factory above; and

WHEREAS, the applicant contends that the cellar ceiling is fire-retarded with $\frac{1}{2}$ in. plaster boards; that the two upper floors are vacant; that no highly combustible materials are stored and the occupancy is not hazardous; permission is requested to permit the installation of dry automatic sprinkler system without an alarm.

Resolved, that the order of the fire commissioner, Order No. 5532-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed throughout the cellar complying with the requirements of the Sprinkler Rules of the Board of Standards and Appeals therefor, except that the water for such system may be taken from the domestic water supply of the building, provided the existing house supply is not less than $1\frac{1}{2}$ in. in diameter from the main to the building line; that the hose inlet on the exterior of the building may be of the single type; that no interior alarm need be installed, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, as modified by the Board under Cal. No. 205-22-S.

884-40-A.

APPLICANT—McDowell Sprinkler Corporation, for Darling Estate, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—136-138 West 24th street, south side, 298 ft. east of Seventh avenue (Block No. 799, Lot No. 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(884-40-A)

WHEREAS, McDowell Sprinkler Corporation, for Darling Estate, Incorporated, owner, filed August 15, 1940, an appeal from an order and a decision of the fire commissioner; premises 136-138 West 24th street, south side, 298 ft. west of Seventh avenue (Block No. 799, Lot No. 60), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 5403-LF, dated August 4, 1939, reads:

"Install an approved wet automatic sprinkler system throughout cellar having at least one source of water

supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated July 24, 1940; and

WHEREAS, the building is five stories (65 ft.) in height, 50 ft. by 98 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1888, and occupied: cellar, manufacturing mirrors, 1 person; first story, same, 2 persons; second story, manufacture of paper tissue, 20 persons; third story, iron works, 4 persons; fourth story, manufacture of bedding, 5 persons; fifth story, same, 5 persons; and

WHEREAS, the applicant contends that the cellar is used for the storage and packing of mirror glass; that not more than one bale of excelsior will be used at one time for packing purposes; this excelsior will be kept in metal-lined bins with fusible link cover located in fireproof vault at front of the basement; that there are two 2 ft. by 3 ft. grilles under the show window, which afford ventilation, as well as two open stairs and an elevator shaft running to the basement; that it is proposed to install a non-automatic sprinkler system throughout the cellar without an alarm; that the sprinkler head covering the excelsior bin will be cross-connected with the 1 in. supply as an extra protection.

Resolved, that the order of the fire commissioner, Order No. 5403-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic sprinkler system complying with the requirements of the Sprinkler Rules of the Board of Standards and Appeals therefor, except that the automatic alarm need not be installed; that the hose inlet may be of the single type; that all fittings and hangers shall be of malleable iron; that the hose inlet cap and sign stating the area covered by the sprinkler system shall be painted aluminum; that the excelsior shall be stored in a bin approved for such use with self-closing cover.

886-40-A.

APPLICANT—H. S. Products Finishing Corporation (lessee), for 1768 Dean Street Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1768-1782 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. C. Sprague.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(886-40-A)

WHEREAS, H. S. Products Finishing Corporation (lessee), for 1768 Dean Street Corporation, owner, filed August 28, 1940, an appeal from an order of the fire commissioner; premises 1768-1782 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30, inclusive), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 84523-LC, dated July 31, 1940, reads:

"You are hereby notified that an inspection of the above premises used to store paints, etc. shows that the following must be done before the permit requested by you can be issued.

8. Provide an approved storage system for the storage of naphtha and tuluol. Plans and specifications to

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be filed with and approved by the Division of Buildings, before work of installing storage tanks are commenced. Tanks to be tested and installation supervised by a representative of the Division of Combustibles, Fire Department."

and

WHEREAS, the building is one story (18 ft.) in height, 175 ft. by 104 ft. in area; of Class 3 construction; equipped with a sprinkler system; located in an unrestricted use district; erected in 1914, and used since 1921 as follows: cellar, furnace room; first story, enameling, 20 persons; Certificate of Occupancy No. 2452 issued December 12, 1921, is for an automobile paint shop; and

WHEREAS, the applicant contends that the paint solvents are stored in a special building separated from the balance of the plant by a 12 in. brick wall and double fire doors; this room is equipped with vapor-proof lights and switches and is sprinklered; that a drum of toluol or naphtha is purchased at one time; that neither of these solvents is used continuously as the applicants are in the job finishing business and do not know in advance what solvent might be required for the next job, and that for the small amount of solvent involved, the installation of an underground system would be a hardship; it is proposed to purchase toluol or naphtha in one drum lots and to transfer same immediately to approved safety cans for storage or for transfer to spray booth; that in many instances Solvesso or other substitute high flashpoint solvents may be used with the occasional use of toluol or naphtha.

Resolved, that the order of the fire commissioner, Order No. 84523-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall not at any time be stored more than one fifty-gallon drum each of toluol and naphtha; that such drums shall be stored as proposed in a room separated from the balance of the building with fireproof walls and fireproof doors; that such room shall be sprinklered and all lights shall be of the vapor-proof type; that fixed or natural ventilation satisfactory to the fire commissioner shall be maintained at all times; that there shall be maintained in such room not less than two 2½-gallon foam extinguishers; that the inflammable liquid shall be drawn off as needed into five-gallon safety cans by means of pumps approved for such use by the Underwriters' Laboratories or the Factory Mutual Laboratories and not more than five gallons shall be so maintained within the factory at any one time as required.

911-40-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—5312-5316 Fifth avenue, north side, 50 ft. 2 in. east of 54th street (Block No. 815, Lot Nos. 42, 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy

Negative

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THE RESOLUTION—

(911-40-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, owner, filed September 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 5312-5316 Fifth avenue, north side, 50 ft. 2 in. east of 54th

street (Block No. 815, Lot Nos. 42, 43 and 44), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4104-LF, dated January 31, 1940, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in the cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 15, Administrative Code."

and

WHEREAS, said order was issued under section C19-161.0 of the Administrative Code; and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 20, 1940; and

WHEREAS, the building is two stories (30 ft.) in height, 75 ft. by 100 ft. in area; of Class 3 construction; located in a business use district; erected in 1909, and occupied since 1922 as follows: cellar, preparation of stock, boiler-room and coal storage, 5 persons; first story, store, 600 persons; second story, office and girls' room, 20 persons; and

WHEREAS, applicant contends that there is a fireproof enclosed stairway leading from front of basement to the front of the first story and there is also a fireproof enclosed stairway leading from rear of basement to the first story; that there is a fireproof enclosed stairway leading from basement to the second story to provide egress to 54th street; there are openings in the granite base of the show window bulkhead and a sidewalk freight elevator which provides ventilation through basement; that the room used for baling paper is fireproof, enclosed and provided with self-closing doors; that the merchandise carried in the basement is common to this type of occupancy and the celluloid merchandise being .7 of 1 per cent; all aisles are 3 ft. wide and are kept clear at all times; basement ceiling is fire-retarded and all partitions in the basement are fireproof.

Resolved, that the order of the fire commissioner, Order No. 4104-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a siamese hose inlet of approved type on the exterior of the building at Fifth avenue at least 10 in. above the sidewalk, and that the cap of this siamese hose inlet and sign stating area covered shall be painted aluminum.

912-40-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1281 Broadway, north side, 229 ft. 3 in. west of Grove street (Block No. 3293, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy

Negative

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MINUTES

THE RESOLUTION—

(912-40-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, owner, filed September 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 1281 Broadway, north side, 229 ft. 3 in. west of Grove street (Block No. 3293, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4291-LF, dated February 29, 1940, reads:

"1. Install an approved wet automatic sprinkler system in basement having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 24, 1940; and

WHEREAS, the building is two stories (27 ft.) in height, 45 ft. 6 in. by 172 ft. in area; of Class 3 construction; located in a business district; erected in 1888, and occupied since 1904 as follows: cellar, storage, boiler-room and paper room and preparation of stock, 4 persons; first story, sales, girls' room and toilet room, 1 person, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that there is a fireproof enclosed stairway leading from basement to rear of first story adjacent to rear exit and fireproof enclosed stairway leading from basement to front of first story adjacent to front exit; that there are openings in the base of the show window bulkhead and a freight slide which provides ventilation to the basement; basement is also ventilated by an areaway; that the room used for storage of coal in basement is fireproof; that the merchandise carried in the basement is common to this type of occupancy; that the amount of celluloid stored is approximately .7 of 1 per cent. of the stock; all halls are 3 ft. wide; basement ceiling is fire-retarded and all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, Order No. 4291-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a siamese inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this siamese hose inlet and sign stating area covered shall be painted aluminum.

913-40-A.

APPLICANT—Arthur F. Winter, for Henry Ohland, owner (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—7408-7410 Fifth avenue, west side, 67 ft. 1¾ in. south of 74th street (Block No. 5930, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(913-40-A)

WHEREAS, Arthur F. Winter, for Henry Ohland, owner (F. W. Woolworth Company, lessee), filed September 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 7408-7410 Fifth avenue, west side, 67 ft. 1¾ in. south of 74th street (Block No. 5930, Lot No. 40), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4712-LF, dated May 28, 1940, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code of the City of New York. C-19-161.0 Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 20, 1940; and

WHEREAS, the building is two stories (36 ft.) in height, 40 ft. by 112 ft. average in area; of Class 3 construction; located in a business district; erected in 1922, and occupied: cellar, stock room, coal storage and boiler-room and paper room, 2 persons; second story, dwelling, four families; Certificate of Occupancy No. 5523 was issued December 16, 1924, for store and two-family dwelling; and

WHEREAS, the applicant contends that there is a fireproof enclosed stairway leading from basement, terminating on first story, near the street front and a fireproof enclosed stairway leading from rear of basement and terminating at rear of first story; that there are openings in the granite bases of the show window bulkhead at sidewalk level which provide ventilation to the basement; that the room used for storage of baled paper in the basement is of fireproof construction; that the toilet in the basement is fireproof, enclosed; that the coal storage room is fireproof, enclosed; that the merchandise stored is common to this type of occupancy and the amount of celluloid merchandise stored is approximately .7 of 1 per cent.; that all aisles are 3 ft. wide and that basement ceiling is fire-retarded and all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, Order No. 4712-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk, and that the cap of this hose inlet and sign stating area covered shall be painted aluminum.

924-40-A.

APPLICANT—Arthur F. Winter, for Samuel L. Kahn and Henry Kahn, owners (F. W. Woolworth Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—416-418 Knickerbocker avenue, west side, 50 ft. south of Himrod street, and 222 Himrod street (Block No. 3278, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(924-40-A)

WHEREAS, Arthur F. Winter, for Samuel L. Kahn and Henry Kahn, owners (F. W. Woolworth Company, lessee), filed September 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 416-418 Knickerbocker avenue, west side, 50 ft. south of Himrod street, and 222 Himrod street (Block No. 3278, Lot No. 28), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4243-LF, dated February 21, 1940, reads:

"1. Install an approved wet automatic sprinkler system in basement having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 26, Administrative Code. C19.161.0. Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 20, 1940; and

WHEREAS, the building is one story and pent house (26 ft.) in height, 25 ft. on Himrod street and 50 ft. on Knickerbocker avenue, with a depth of 100 ft.; of Class 3 construction; located in a business use district; erected in 1928, and occupied: cellar, storage, 2 persons; first story, sales, 300 persons; pent house, girls' room and toilet; Certificate of Occupancy No. 82943 was issued June 23, 1937, permitting such occupancy; and

WHEREAS, applicant contends that there is a fireproof stairway leading from basement to rear of first story and a fireproof enclosed stairway leading to front of first story; both of these stairways are equipped with fireproof, self-closing doors at basement level; that there are openings in the granite base of the store window bulkhead and a fireman's exit from basement to sidewalk, with sidewalk doors and a front elevator with sidewalk doors which provide ventilation to the basement; that the room used for storage of paper in the basement is fireproof; that the coal storage room is fireproof; that the aisles are 3 ft. wide; that the basement ceiling is fire-retarded; that all basement partitions are fireproof; that the amount of celluloid merchandise stored is .7 of 1 per cent. of the entire stock.

Resolved, that the order of the fire commissioner, Order No. 4243-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that the automatic alarm need not be installed; that sprinkler heads may be spaced 25 per cent. in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ in. drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building; that the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building on each street at least 10 in. above the sidewalk; that the

cap of this hose inlet and sign stating area covered shall be painted aluminum.

936-40-A.

APPLICANT—Mannie Altvater (lessee), for Altvater Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—31 West 71st street, north side, 348 ft. west of Central Park West (Block No. 1124, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: H. Pims.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

THE RESOLUTION—

(936-40-A)

WHEREAS, Mannie Altvater (lessee), for Altvater Realty Corporation, owner, filed September 25, 1940, an appeal from an order and a decision of the fire commissioner; premises 31 West 71st street, north side, 348 ft. west of Central Park West (Block No. 1124, Lot No. 18), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 9232-LF, dated July 23, 1940, reads:

"3. Provide telegraphic communication with Fire Department Headquarters, as provided for by the Administrative Code. Section 487e-2.0-b."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated September 20, 1940; and

WHEREAS, the building is located in a residence use district, twelve stories (100 ft.) in height, 25 ft. by 90 ft. in area; of Class 1 construction; equipped with a standpipe system; erected in 1917; occupied throughout as a hotel; and

WHEREAS, the applicant contends that the building is now equipped with a fire alarm system, watchman's time detector system and a standpipe system; that there is a telephone in every room which is connected with a switchboard equipped with five (5) outgoing trunk lines and in charge of an operator twenty-four hours a day; that in view of these conditions, it is requested that Item No. 3 of the order be varied.

Resolved, that the order of the fire commissioner, Order No. 9232-LF, Objection No. 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

939-40-A.

APPLICANT—Lama and Proskauer, for Morris Messner, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—128 Flushing avenue, southwest corner of Clermont avenue (Block No. 2032, Lot No. 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Messner.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum

Negative

Absent: Assistant Chief McCarthy

MINUTES

THE RESOLUTION—

(939-40-A)

WHEREAS, Lama and Proskauer, for Morris Messner, owner, filed September 25, 1940, an appeal from a decision of the borough superintendent of buildings; premises 128 Flushing avenue, southwest corner of Clermont avenue (Block No. 2032, Lot No. 29), Borough of Brooklyn; and WHEREAS, the decision of the borough superintendent of buildings, on Permit No. 785-28, dated September 20, 1940, and Violation No. 266-40, read:

"In reply to your letter of September 18th, 1940, with respect to the premises mentioned above, you are hereby informed that Permit No. 785/28 was revoked for a misstatement of fact in that the location of the gasoline service station violated Section 21 of the Building Zone Resolution, as amended May 22, 1925.

This revocation is based on the plans for New Building Application No. 504 filed on January 13th, 1928 upon which the above Permit was issued. These plans falsely stated that there were no school entrances or exits on Clermont Avenue between Flushing and Park Avenues. The fact in the matter is that the Sacred Heart Institute has had entrances and exits on Clermont Avenue between Flushing and Park Avenues prior to the time that the application had been filed.

Section 21-A of the Building Zone Resolution, as amended June 28th, 1940, provides for the protection of children under 16 years of age in duly organized schools licensed by the Board of Regents. All elementary and high schools under the jurisdiction of the Superintendent of Catholic Schools, Diocese of Brooklyn, enjoy certification by the Board of Regents and are entitled to all rights and privileges appertaining to such jurisdiction.

The Sacred Heart Institute is under the jurisdiction of the Superintendent of Catholic Schools and is therefore a school legally registered and recognized by the Board of Regents of the New York State Department of Education.

Accordingly, your request for a reconsideration is hereby denied."

WHEREAS, Violation Order No. 266-40, dated August 2, 1940, reads:

"You will please take notice that there exists a violation of Sections 21 and 22 of Article 5 of the Building Zone Resolution of the Board of Estimate and Apportionment adopted July 25, 1916, in that

Permit 785/28 under Application 504/28 issued for the use of gasoline station. This permit was revoked by the Superintendent July 31, 1940, for misstatement of facts in the permit.

Premises is now being occupied without a Certificate of Occupancy from this Department. Also premises is less than 200 feet from the nearest exit or entrance to a Parochial School.

Discontinue use of premises as a gasoline station at once."

WHEREAS, the premises consist of a plot fronting 25 ft. on Flushing avenue and 75 ft. on Clermont avenue, upon which there exists a one-story building (15 ft.) in height,

Class 3 construction, 36 ft. by 23 ft. 8 in. in area; occupied as an office, lubricatorium and storeroom in conjunction with gasoline service station operated on the premises; and

WHEREAS, the applicant contends that permit for this building was granted by the Building Department in 1928 under Permit No. 785-28; that on July 31, 1940, this permit was revoked by the borough superintendent of buildings

for misstatement of facts in the application; that these facts failed to reveal that there was at that time a parochial school within 200 ft. from nearest entrance or exit; that

the present owner came into possession of the property by virtue of a foreclosure of premises in 1933; that in 1928 it

was the practice of the Department of Housing and Buildings to measure the line of travel to an exit or entrance of a school directly to the building entrance and not a gate in the fence which leads to a yard; that request was made to the Building Department pertaining to reinstatement of this permit under the present law, which states as follows: "21-A—Applies to a duly organized school licensed by the Board of Regents for children under sixteen years of age; the school on this block is shown as the Sacred Heart School with its main entrance at 27-35 Adelphi street; inquiry to the Board of Regents reveals that this school is not licensed by the State Board of Regents as called for in section 21-A"; that attached herewith is photostatic copy of letter received from the director of the University of the State of New York setting forth above facts; that it is therefore respectfully requested that the permit be reinstated; and

WHEREAS, it appeared that no work was done as to the new building proposed under Permit No. 785 of 1928, and that the owner based his occupancy on prior permits and on an application filed in 1929 for alteration of the building constructed prior to 1928; and

WHEREAS, after full hearing the applicant withdrew the appeal so as to apply for a certificate of occupancy based on permitted use prior to 1928.

Resolved, that the appeal be and it hereby is *withdrawn*.

955-40-A.

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—10-26 41st avenue, south side, 250 ft. west of East 12th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John P. Riley.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(955-40-A)

WHEREAS, New York City Housing Authority, owner, filed September 30, 1940, an appeal from an order and a decision of the fire commissioner; premises 10-26 41st avenue, south side, 250 ft. west of East 12th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, Order No. 5164-LF, dated August 9, 1940, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the Rules of the Board of Standards and Appeals, and the enclosed approved layout, as per rules Board of Standards and Appeals. 487e-2.0. c.1 Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated September 26, 1940; and

WHEREAS, the building is one story (13 ft.) in height, 146 ft. by 61 ft. 8 in. in area; of Class 1 construction; located in an unrestricted use district; erected in 1939, and occupied as a children's center for 150 children and ten adults; and

WHEREAS, the applicant contends that the building is only one story in height, with no occupied basement, so that egress is easy in case of fire; that the building has direct access on all sides either to a street or to an open area of considerable size; that the building is of fireproof construction throughout; in each of the rooms in which the children

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congregate there are doors with panic bolts opening out to the street or a large, open area; these rooms accommodate not over twenty-five children at one time, varying in age from three to five years, therefore all children are old enough to walk and could leave without aid; that since each room has its own adequate and individual exit there would be no purpose served in having a fire alarm system as the entire building could be vacated within a few moments in case of emergency; that the children's center is operated as a part of Queensbridge Houses which is a government subsidized low-cost housing project; the children are at all times under the close supervision of competent workers who would direct them in leaving the building in case of any fire; that the installation of the alarm system ordered by the Fire Department would give no better protection than is available at the present time and would only entail unnecessary installation and maintenance expense.

Resolved that the order of the fire commissioner, Order No. 5164-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained as proposed and shall not be extended in height or area; that at all times during school hours the building shall be under the supervision of a sufficient number of trained attendants; that the existing exits from the building shall be equipped with approved panic bolts with doors opening outwardly; that a periodic fire drill shall be maintained; that a telephone of the non-coin type with direct connection shall be installed on the premises in a conveniently central location available at all times with a sign posted giving the telephone number of fire headquarters.

957-40-A.

APPLICANT—Charles Landesman, for 3 Vestry Street Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32 Laight street, north side, 120 ft. west of Varick street (Block No. 220, Lot No. 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Landesman and S. Walter Katz.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(957-40-A)

WHEREAS, Charles Landesman, for 3 Vestry Street Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee), filed October 2, 1940, an appeal from an order and a decision of the fire commissioner; premises 32 Laight street, north side, 120 ft. west of Varick street (Block No. 220, Lot No. 42), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 9283-LF, dated July 29, 1940, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner, throughout the building. C19-161.0.A-C."

and

WHEREAS, the decision of the fire commissioner, dated September 19, 1940, reads:

"In reply to your letter in reference to Order No. 9283-LF pending against the above premises and requiring the installation of a fixed fire extinguishing system throughout the building, you are advised as follows:

The matter has been under consideration and you are advised that in view of the fact that there are no openings between 11 Vestry Street and 32 Laight Street, it is the decision of this Department that the Resolution of the Board of Standards and Appeals under Calendar 85-40-A did not effect 32 Laight Street.

Your request to rescind Order No. 9283-LF must therefore be denied."

and

WHEREAS, the building is six stories (76 ft.) in height, 31.6 ft. by 87.7 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1909, and occupied since 1929 for the storage of woolen clippings, three persons throughout; and

WHEREAS, the applicant contends that the premises in question are immediately to the rear of No. 11 Vestry street, which was the subject of a variance under Cal. No. 85-40-A; that this building is connected to No. 11 Vestry street by a fire escape; that there is no manufacturing of any kind carried on in the building; that the building is used solely for the storage of rags and wool clippings with never more than two employees on the premises; that the building is unheated and the basement is vacant; that the building is equipped with a stairway and elevator completely closed and equipped with fire doors on all floors; that egress to the roof is by means of a ladder and scuttle; in view of these facts, the fire commissioner's order was erroneous and should be reversed.

Resolved, that the order of the fire commissioner, Order No. 9283-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cellar of this building shall not be used for the storage of combustibles unless a non-automatic dry sprinkler system is installed therein; that all windows and doors opening to the interior court shall be fireproof and self-closing; that all rubbish shall be removed from each story; that the automatic fire alarm system and watchman's service shall be maintained; that in all other respects the storage of combustible material and the maintenance of the building shall be to the satisfaction of the fire commissioner; that such portable fire-fighting equipment shall be installed as the fire commissioner may direct.

966-40-A.

APPLICANT—Charles Landesman, for 3 Vestry Street Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3 Vestry street, south side, 20 ft. west of Varick street (Block No. 220, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Landesman and S. Walter Katz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(966-40-A)

WHEREAS, Charles Landesman, for 3 Vestry Street Corporation, owner (B. D. Kaplan and Company, Incorporated, lessee), filed October 2, 1940, an appeal from an order of the fire commissioner; premises 3 Vestry street, south side, 20 ft. west of Varick street (Block No. 220, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 23361-LF, dated September 4, 1940, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done.

MINUTES

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Section C19-149.0-C-4, Article 26 of the Administrative Code."

NOTE:—Permit will be issued to expire January 1st, 1941. Expiration date subject to further extension on condition that requirement be met by that date; it is understood that stock will at no time exceed 1/3 the safe bearing capacity of any floor (on which it is stored) as certified to by the Department of Housing and Buildings.

It is unlawful for you to store a combustible fibre without a permit. Please notify this department promptly when this order has been complied with."

and

WHEREAS, the building is six stories (76 ft.) in height, 24.9 ft. by 175.5 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1909; occupied since 1925 as follows: cellar, storing of wool clippings; first story, same; second story, dining room, kitchen and sample room; third story, storage of wool clippings; fourth story, same; fifth story, baling wool clippings; sixth story, same; twenty (20) persons throughout the building; and

WHEREAS, applicant contends that the present business has been carried on at this location for fifteen years, during which time there have been no fires; that there are no residential buildings in the neighborhood and no manufacturing is done in the building; that the second story is occupied by the company's executives as a dining room and kitchen; that the balance of the second story is used for storage of wool clippings and as a sample room; that the dining room and sample room are air conditioned; that the building is under constant supervision twenty-four hours of the day; that the building is equipped with an automatic fire alarm system connected to the Automatic Fire Alarm Company; that night watchman and clock service is maintained; that there is a fire hydrant directly in front of the premises and one diagonally across the street; that the building fronts on two streets, with the exception of loose clippings in preparation for baling on the fifth and sixth stories, which never exceed one ton; the only goods stored in the building consist of baled wool clippings; that the building is kept locked at all times; that the stock is kept a safe distance from the windows and is never piled nearer than 8 ft. to the ceiling; that ample aisle space is maintained; that the premises are heated except for the second story; that the building connects to premises 5, 7 and 9 Vestry street by fire doors to the first, second, third and fourth stories and connects through all these buildings and No. 11 Vestry street by fire doors on the fifth and sixth stories; that there are two elevators in the premises equipped with fire doors on every floor; that there are two stairways; that the building is accessible from the roofs of adjoining buildings; that egress can be had from the roof of this building; that to require the installment of an automatic sprinkler system would subject the owner to an unnecessary hardship; that the conditions in this building are similar to those accepted by the Board under Cal. No. 588-21-A and Cal. No. 85-40-A; that in view of these conditions, the fire commissioner's order could be reversed.

Resolved, that the order of the fire commissioner, Order No. 23361-LC, Item No. 1, be and it hereby is *modified* and at the appeal be and it hereby is *granted on condition* that the cellar of this building shall not be used for the storage of combustibles unless a non-automatic dry sprinkler system is installed throughout the cellar; that all rubbish shall be removed from each story, and that in all other respects the storage of combustible material and the maintenance of the building shall be satisfactory to the fire commissioner; that such fire-fighting material shall be installed as the fire commissioner shall direct, and that the automatic fire alarm system and watchman's service shall be maintained.

979-40-A.

APPLICANT—Pratt Institute, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—215 Ryerson street, east side, 425 ft. north of DeKalb avenue (Block No. 1920, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. Villmo.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative: Assistant Chief McCarthy 1

THE RESOLUTION—

(970-40-A)

WHEREAS, Pratt Institute, owner, filed October 4, 1940, an appeal from an order of the fire commissioner; premises 215 Ryerson street, east side, 425 ft. north of DeKalb avenue (Block No. 1920, Lot No. 16), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 84906-LC, dated September 16, 1940, reads:

"1. Provide a room of fireproof construction, with self-closing fireproof door on 6th floor and place therein the refrigeration box which now extends into the hallway. Said room to be adequately ventilated to the open air. C-19-96-4. Administrative Code.

2. Hood all gas ranges on 6th story in cooking school and make all doors from same self-closing and fireproof. C-19-96-8, Administrative Code."

and

WHEREAS, the building is six stories (100 ft.) in height, 96 ft. by 85 ft. in area; of Class 6 construction; located in a residence use B area district; erected in 1887, and occupied as a school, with kitchens and laboratories located on the sixth story; and

WHEREAS, the applicant contends that to comply with Item Nos. 1 and 2 of the fire commissioner's order at the present time would cause confusion and inconvenience while the school is in session; that it is proposed to provide a fireproof room in space now occupied by two offices, as shown on plans filed herewith, and to install therein the refrigerators in question which are now located on the sixth story; that the refrigerators contain not more than six pounds of F-12 refrigerant; that in addition to constructing the proposed fireproof room, it will be necessary to provide substitute office space by completely changing partitions in other portion of the building; that this work would seriously disrupt the classes, and it is further requested that a stay be granted by the Board as to permit the work to be delayed until such time as will meet the convenience of the school.

Resolved, that the order of the fire commissioner, Order No. 84906-LC, Item Nos. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the refrigerator located in the room in which open flame exists shall contain not more than three pounds of Freon and that such room shall be not less than 500 sq. ft. in area and shall have not less than five windows opening directly to the outer air; that the refrigerator located in the hallway shall not contain more than six pounds of Freon and that such refrigerators shall be so located as to comply with the requirements of the Administrative Code and to the satisfaction of the fire commissioner within eight (8) months from the date of this resolution.

979-40-A.

APPLICANT—G. Richard Davis and Company, Incorporated, for Charles F. Noyes, Bertram Stroock and G. Richard Davis, owners (Lampport Manufacturing Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—365 Broadway, northwest corner of Franklin street (Block No. 175, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Stock.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(979-40-A)

WHEREAS, G. Richard Davis and Company, Incorporated, for Charles F. Noyes, Bertram Stroock and G. Richard Davis, owners, filed October 8, 1940, an appeal from an order and a decision of the fire commissioner; premises 365 Broadway, northwest corner of Franklin street (Block No. 175, Lot No. 33), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 9357-LF, dated August 12, 1940, reads:

"1. Install an approved standpipe system arranged and equipped as per Art. 17, Chap. 26, Adm. Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated September 23, 1940, which reads:

"In reply to your letter in reference to Order No. 9357-LF requiring a standpipe system, you are advised that Art. 17, Chapter 26, Adm. Code requires such a system in all existing buildings exceeding 85 feet in height.

A careful measurement of this building shows the height to be 90 feet.

An automatic sprinkler system does not waive the requirement for the standpipe system in a building of this height."

and

WHEREAS, the building is six stories (90 ft. 10½ in.) in height, 50 ft. 2 in. by 150 ft. 5½ in. in area; of Class -- construction; located in a business use district; erected in 1860; now being equipped with a sprinkler system, and occupied: sub-cellar and cellar, storage; first story, store; mezzanine, vacant; second to sixth stories, inclusive, offices; it is proposed to be occupied: sub-cellar and cellar, storage; first story, office, showroom and storage; mezzanine, office; second to fifth stories, inclusive, storage; sixth story, office and showroom; and

WHEREAS, the applicant contends that it is proposed to install a complete two-source sprinkler system with 15,000-gallon tank, a 5,000-gallon booster pump and a 6 in. city main connection; that it is requested the requirement of the standpipe order be waived in view of the low height of the building and in view of the proposed sprinkler protection.

Resolved, that the order of the fire commissioner, Order No. 9357-LF, Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be occupied for factory purposes and that an approved sprinkler system shall be installed, as proposed, throughout; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1033-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—171-04, 171-08, 171-12, 171-16, 171-20, 171-24, 171-28, 171-32, 171-36, 171-40 and 171-44 Pidgeon Meadow road, south side, between

171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1033-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from decisions of the borough superintendent of buildings; premises 171-04 to 171-44 Pidgeon Meadow road, south side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5744 to 5754-40, inclusive, dated October 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 103.99 ft. on 171st street and 428 ft. on Pidgeon Meadow road, with a depth of 100 ft. therefrom; located in business and residence use D area districts; it is proposed to subdivide the plot into eleven separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a one-car private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be surfaced on the exterior with brick veneer to plate line and with asbestos shingles above; the roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction, with hip roofs surfaced with asphalt shingles and front frame dormers surfaced with wood siding or asbestos shingles; dwellings will be set back from Pidgeon Meadow road a distance of 15 ft., into which setback front entrances may project for a distance of 5 ft.; side yards will be provided on the easterly sides of 8 ft. in width, except for the dwelling to be located at the intersection of 171st street and Pidgeon Meadow road which will have a side yard on the easterly side of 5 ft.; side yards provided on the westerly sides will be 5 ft. in width, except for the dwelling to be located at the intersection of 171st street and Pidgeon Meadow road, which will be set back from 171st street not less than 2 ft. at any point; garages will be located not nearer than 1 ft. to side and rear lot lines and will be used as accessory to the dwelling; and

WHEREAS, the applicant contends that the owner has purchased all of the land surrounding the premises in question and is now developing said area with buildings of similar construction; that a declaration of restriction has been filed restricting all the property owned by the applicant to residential use; that in order to harmonize with the existing development and to meet the present sales market it is necessary to construct the buildings as proposed, as the construction of Class 3 dwellings would not be warranted by the possible sales market in this area.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5744 to 5754-40, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the buildings shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1034-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—49-06 Fresh Meadow lane, west side, between Auburndale lane and Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1034-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 49-06 Fresh Meadow lane, west side, between Auburndale lane and Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5755-40, dated October 18, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 7 ft. on Pidgeon Meadow road, 89.13 ft. on Fresh Meadow lane, 86.26 ft. on Underhill avenue and 100.89 ft. along the westerly lot line; located in business and residence use D area districts; it is proposed to erect on the plot a one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 19 ft. 6 in. by 11 ft. in area; of Class 3 construction; the dwelling will be set back from Fresh Meadow lane a distance of 5 ft., from Pidgeon Meadow road for a distance of 22 ft. and the garage will be set back from Underhill avenue for a distance of 2 ft.; a side yard will be provided on the westerly side of the dwelling 5 ft. in width; the dwelling will be surfaced on the exterior of the first story with masonry veneer and with asbestos shingles above; the roof will be surfaced with asphalt shingles; the garage will be of Class 3 construction with hip roof surfaced with asphalt shingles, with front frame dormer surfaced with wood siding or asbestos shingles; the garage will be located not nearer than 1 ft. to the westerly lot line; front entrance steps for the dwelling may project into the setbacks from Fresh Meadow lane and Pidgeon Meadow road; side entrance steps may project into side yards a distance of 3 ft.; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5755-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwelling and accessory garage shall be constructed as proposed; that the dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1035-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—48-11 and 48-15 171st street, east side, 103.99 ft. south of Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1035-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from decisions of the borough superintendent of buildings; premises 48-11 and 48-15 171st street, east side, 103.99 ft. south of Pidgeon Meadow road (Block No. 5576, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5763 and 5764-40, dated October 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 105.02 ft. on 171st street, with a depth of 128 ft. along the northerly lot line and 117.40 ft. along the southerly lot line; located in business and residence use D area districts; it is proposed to subdivide the plot into two separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back from 171st street a distance of 15 ft. and will be provided with side yards on the northerly side of 9 ft. in width and on the southerly side of not less than 3 ft.; the garage will be located not nearer than 1 ft. to the side and rear lot lines; front entrances may project into the setback from 171st street a distance of 5 ft.; dwellings will be surfaced on the exterior of the first story with masonry veneer and with asbestos shingles above; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction with hip roofs surfaced with asphalt shingles and front frame dormers surfaced with wood siding or asbestos shingles; garages will be used as accessory to the dwellings; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5763 and 5764-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1036-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—48-12 171st street, west side, 93.59 ft. south of Pidgeon Meadow road (Block No. 5575, Lot No. 48), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

MINUTES

THE RESOLUTION—

(1036-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 48-12 171st street, west side, 93.59 ft. south of Pidgeon Meadow road (Block No. 5575, Lot No. 48), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5765-40, dated October 18, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 38.99 ft. on 171st street, with a depth of 111.36 ft. along the southerly lot line; located in business and residence use D area districts; it is proposed to erect on the plot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area, of Class 3 construction; the dwelling will be set back from 171st street a distance of 15 ft., into which setback front entrance may project a distance of 5 ft.; a side yard will be provided on the northerly side of 8 ft. 6 in. and on the southerly side of 4 ft.; garage will be located not nearer than 1 ft. to side or rear lot lines; the dwelling will be surfaced on the exterior with masonry veneer on the first story and asbestos shingles above; roof will be surfaced with asphalt shingles; garage will be of Class 3 construction, with hip roof surfaced with asphalt shingles and front frame dormer surfaced with wood siding or asbestos shingles; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5765-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwelling and accessory garage shall be constructed as proposed; that the dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1037-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—170-28, 170-32, 170-36, 170-40 and 170-44 Pidgeon Meadow road, southwest corner of 171st street and south side of Pidgeon Meadow road, 31 ft., 69.5 ft. and 108 ft. west of 171st street (Block No. 5575, Lot No. 48), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1037-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from decisions of the borough superintendent of buildings; premises 170-28 to 170-44 Pidgeon Meadow road, southwesterly side, between 170th place and 171st street (Block No. 5575, Lot No. 48), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5766 to 5770-40, inclusive, dated October 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 185 ft. on Pidgeon Meadow road, with a depth of 90 ft. and 100 ft. therefrom; located in a business and residential use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area, of Class 3 construction; the dwellings will be set back from Pidgeon Meadow road a distance of 15 ft., into which setback front entrance may project a distance of 5 ft.; the corner buildings will be set back from 170th place 8 ft. 6 in. and from 171st street 6 ft., respectively; the dwelling to be located at the intersection of Pidgeon Meadow road and 171st street will have a side yard on the northwesterly side of 5 ft. in width; the dwelling to be located at the intersection of 170th place and Pidgeon Meadow road will have a side yard on the southeasterly side of 5 ft. in width; the three other dwellings to be located on the central portion of the plot will have side yards on the northwesterly side of 5 ft. in width and on the southeasterly side of 8 ft. 6 in. in width; garages will be located not nearer than 1 ft. to side or rear lot lines; dwellings will be surfaced on the exterior of first story with masonry veneer and with asbestos shingles above; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction, with frame front dormers surfaced with wood siding or asbestos shingles and roofs surfaced with asphalt shingles; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5766 to 5770-40, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the buildings shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1038-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—170-04, 170-08, 170-12, 170-16 and 170-20 Pidgeon Meadow road, southeast corner of 170th street and southwest corner of 170th place and south side of Pidgeon Meadow road, 40 ft., 30 ft. and 120 ft. west of 170th place (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1038-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from decisions of the borough superintendent of buildings; premises 170-04 to 170-20 Pidgeon Meadow road, south side, between 170th street and 170th place (Block No. 5575, Lot No. 2), Flushing, Borough of Queens; and

MINUTES

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5771 to 5775-40, inclusive, dated October 18, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and
WHEREAS, the premises consist of a plot fronting 206.69 ft. on Pidgeon Meadow road, 88.38 ft. on 170th street and 100 ft. on 170th place; located in a business and residence use D area district; it is proposed to subdivide the plot into five separate lots and to erect on each lot a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area, of Class 3 construction; the dwellings will be set back from Pidgeon Meadow road a distance of approximately 15 ft., into which setback front entrance may project a distance of 5 ft.; side yards will be provided on the southeasterly sides 10 ft. in width and on the northwesterly side 5 ft. in width; the dwelling to be located at the corner of 170th street will be set back from 170th street an average of 15 ft. and the dwelling to be located on 170th place will be set back from 170th place 10 ft.; the dwellings will be surfaced on the exterior of the first story with masonry veneer and with asbestos shingles above; roofs will be surfaced with asphalt shingles; garages will be of Class 3 construction, with hip roofs surfaced with asphalt shingles and front frame dormers surfaced with wood siding or asbestos shingles; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5771 to 5775-40, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the buildings shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1039-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—48-11 170th street, south side, 88.38 ft. west of Pidgeon Meadow road (Block No. 5575, Lot No. 2), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1039-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed October 29, 1940, an appeal from a decision of the borough superintendent of buildings; premises 48-11 170th street, south side, 88.38 ft. west of Pidgeon Meadow road (Block No. 5575, Lot No. 2), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 5776-40, dated October 18, 1940, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 46.06 ft. on 170th street and a depth of 114.27 ft. along the northerly

lot line; located in a business and residence use D area district; it is proposed to erect on the plot a one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area, of Class 3 construction; the dwelling will be surfaced on the exterior of the first story with masonry veneer and with asbestos shingles above; roofs will be surfaced with asphalt shingles; the dwelling will be set back from 170th street a distance of 15 ft., into which setback front entrance steps may project 5 ft.; side yards will be provided on both sides 10 ft. in width; garage will be of Class 3 construction, with hip roof surfaced with asphalt shingles and front frame dormer surfaced with wood siding or asbestos shingles; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 5776-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwelling and accessory garage shall be constructed as proposed; that the dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1045-40-A.

APPLICANT—Julius Eckmann, for Nerwal Realty Corporation, owner (Sears, Roebuck and Company, lessee).

SUBJECT—Appeal from a decision—re an order of the borough superintendent of buildings.

PREMISES AFFECTED—358-372 West 31st street and 362-370 Ninth avenue, southeast corner (Block No. 754, Lot No. 78), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann and Jacob Langfur.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1045-40-A)

WHEREAS, Julius Eckmann, for Nerwal Realty Corporation, owner (Sears, Roebuck and Company, lessee), filed October 29, 1940, an appeal from a decision—re an order of the borough superintendent of buildings; premises 358-372 West 31st street and 362-370 Ninth avenue, southeast corner (Block No. 754, Lot No. 78), Borough of Manhattan; and

WHEREAS, the order of the superintendent of buildings, on Violation No. 5121-40, dated September 12, 1940, reads:

"You will please take notice that there exists a violation of Section 2.1.2.1 of the Building Code, C26-174.0 Administrative Code at the premises hereinafter described, in that

Of having erected combustible partitions in a fireproof building without a permit on various floors throughout the building, contrary to Section C26-174.0 of the Code.

Remedy:

You are hereby directed to secure a permit for the work noted above, and if said work is illegal, make such necessary changes as are required to secure a permit."

and

WHEREAS, the decision of the borough superintendent of buildings, dated November 12, 1940, reads:

"Answering your letter of November 9th, 1940 in relation to the above violation and premises, you are

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advised that the building being over 150 feet in height, combustible partitions are not permitted as same would be contrary to Section C26-667.0."

and

WHEREAS, the building is sixteen stories (196 ft.) in height, 220 ft. by 98.9 ft. in area; of Class 1 construction; equipped with standpipe and sprinkler systems; located in a business use district; erected in 1930, and occupied: cellar, boiler-room, machinery and storage, 25 persons; first story, trucking and store, 50 persons; second story, stock and shipping, 97 persons; third story, stock, shipping, offices and showrooms, 93 persons; fourth story, stock, shipping and cafeteria, 57 persons; fifth and sixth stories, offices, 93 and 80 persons, respectively; seventh story, stock, shipping and showrooms, 50 persons; eighth story, offices, 80 persons; ninth, tenth and eleventh stories, offices and stock rooms, 112, 86 and 97 persons, respectively; twelfth, thirteenth and fourteenth stories, offices and showrooms, 139, 54 and 53 persons, respectively; fifteenth story, offices, stock and switchboard, 77 persons; sixteenth story, offices and artists' studio, 47 persons; and

WHEREAS, the applicant contends that there is no manufacturing done on the premises; that the building is occupied by one tenant throughout; that some wood and steel partitions were installed with the approval of the Building Department prior to the issuance of the certificate of occupancy; that the partitions located on the twelfth and thirteenth stories are of wood construction and had been approved by the Bureau of Buildings in accordance with section 355, subdivision h, of the old Building Code; that subsequently changes became necessary and partition changes were made; that the building is equipped with a 100 per cent. sprinkler system supplied from two 10,000-gallon gravity tanks and two 7,500-gallon pressure tanks equipped with a Fire Department connection; that night watchmen's service is maintained and supervised; that there is a standpipe system with a 7,500-gallon reserve tank; that very few partitions are located above the 150 ft. height level; that sprinkler changes have been made to correspond with the relocation of partitions; that in view of the excellent fire protection installed and the efficient maintenance of the building by the tenant, it is respectfully requested that the Board accept the present partitions.

Resolved, that the decision of the borough superintendent of buildings, on Violation No. 5121-40, dated November 12, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system, standpipe system, night watchmen system, shall be maintained at all times; that whenever it is proposed to relocate or install new partitions, that such shall comply with the requirements of the Building Code therefor; that this variance shall be continued only so long as the building is maintained as proposed to the satisfaction of the fire commissioner and occupied throughout exclusively by the present tenant or its successors in the same line of business; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1047-40-A.

APPLICANT—Solomon Ostrov, for The Greater New York Savings Bank, owner (Artistic Paper Box Company, Incorporated, lessee).

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—52-54 Sands street and 137-48 Adams street, southwest corner (Block No. 86, Lot Nos. 7 and 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Solomon Ostrov and Irving Elias.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1047-40-A)

WHEREAS, Solomon Ostrov, for The Greater New York Savings Bank, owner (Artistic Paper Box Company, Incorporated, lessee), filed October 29, 1940, an appeal from an order of the fire commissioner; premises 52-54 Sands street and 137-48 Adams street, southwest corner (Block No. 86, Lot Nos. 7 and 8), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 4749-LF, dated May 3, 1940, reads:

"1. Install an approved wet automatic sprinkler system throughout building having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Adm. Code. C19-161.0 Adm. Code."

and

WHEREAS, the building is two stories (29 ft. 8 in.) in height, 50 ft. by 118 ft. 10 in. in area; of Class 1 construction; erected in 1920; located in an unrestricted use district, and occupied: cellar, storage, no persons; first story, storage and offices, 2 persons; second story, factory, 30 persons; and

WHEREAS, the applicant contends that the cardboard and paper stored on the first story is separated from the balance of the building by fireproof construction; that the cardboard and paper stored in the basement is similarly separated; that ample provision is made for extinguishing fires by the proper placement of water pails as well as water tanks and fire extinguishers; that the building is accessible from two streets for fire-fighting purposes; that in view of these facts, it is contended that the order requiring the installation of a sprinkler system is unreasonable and an abuse of discretion.

Resolved, that the order of the fire commissioner, Order No. 4749-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct, and granted so long as the building is occupied by one tenant as proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1059-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—80-04, 80-08 and 80-12 193rd street, southwest corner of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum

Negative

Absent: Assistant Chief McCarthy

THE RESOLUTION—

(1059-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed November 4, 1940, an appeal from decisions of the borough superintendent of buildings; premises 80-04, 80-08 and 80-12 193rd street, southwest corner of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens; and

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WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6840, 6845 and 6846-40, dated October 14 and 21, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2—Building Code."

and
WHEREAS, the premises consist of a plot fronting 100 ft. on Union Turnpike and 120 ft. on 193rd street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect thereon three one-family frame dwellings and three private garages; two of the dwellings will be 27 ft. by 27 ft. in area, and one will be 26 ft. 6 in. by 33 ft. 6 in. in area; the dwellings will not exceed two and one-half stories in height; garages will be 11 ft. by 19 ft. 8 in. in area; dwellings will be set back from 193rd street a distance of 23 ft., into which setback bay windows may project 2 ft. and front entrances and steps may project 7 ft.; the building, located at the corner of Union Turnpike, will be set back from Union Turnpike a distance of 8 ft.; side yards will be provided along the north lot lines not less than 8 ft. in width, and along the south lot lines not less than 4 ft. in width; garages will be located not nearer than 3 ft. to side and rear lot lines; the dwellings will be surfaced on the exterior at the first story with masonry veneer, with stucco, asbestos shingles or masonry veneer above; roofs will be surfaced with slate; side entrances may project into side yard a distance of 3 ft. and chimney breasts may project into side yards a distance of 2 ft.; garages will be surfaced on the exterior with masonry veneer, except for front frame dormers, which will be surfaced with wood siding; garage roofs will be surfaced with slate; and

WHEREAS, the applicant contends that the use of the premises for business purposes is impractical; that to leave the property unbuilt upon would cause it to remain an eyesore; that the proposed buildings will be in harmony with the balance of the development, and, therefore, permission is requested to construct same as proposed in harmony with the remainder of the area owned by the same owner.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6840, 6845 and 6846-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1060-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—80-03, 80-07 and 80-11 192nd street, southeast corner of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1060-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed November 4, 1940, an appeal from decisions of the borough superintendent of buildings; premises 80-03, 80-07 and 80-11 192nd street, southeast corner of Union Turnpike (Block No. 7273, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6842, 6843 and 6844-40, dated October 21, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2—Building Code."

and
WHEREAS, the premises consist of a plot fronting 100 ft. on Union Turnpike and 120 ft. on 192nd street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect thereon three one-family frame dwellings and three private garages; two of the dwellings will be 27 ft. by 27 ft. in area, and one will be 26 ft. 6 in. by 33 ft. 6 in. in area; the dwellings will not exceed two and one-half stories in height; garages will be 11 ft. by 19 ft. 8 in. in area; the dwellings will be set back from 192nd street a distance of 23 ft., into which setback bay windows may project 2 ft. and front entrance and steps may project 7 ft.; the building located at the corner of Union Turnpike will be set back from Union Turnpike a distance of 8 ft.; side yards will be provided along the north lot lines not less than 8 ft. in width and along the south lot lines not less than 4 ft. in width; garages will be located not nearer than 3 ft. to side and rear lot lines; the dwellings will be surfaced on the exterior at the first story with masonry veneer and with stucco, asbestos shingles or masonry veneer above; roofs will be surfaced with slate; side entrances may project into side yards a distance of 3 ft. and chimney breasts may project into side yards a distance of 2 ft.; garages will be surfaced on the exterior with masonry veneer, except for front frame dormers, which will be surfaced with wood siding; garage roofs will be surfaced with slate; and

WHEREAS, the applicant contends that the use of the premises for business purposes is impractical; that to leave the property unbuilt upon would cause it to remain an eyesore; that the proposed buildings will be in harmony with the balance of the development, and, therefore, permission is requested to construct same as proposed in harmony with the remainder of the area owned by the same owner.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6842, 6843 and 6844-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1061-40-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—80-04, 80-08 and 80-12 192nd street, southwest corner of Union Turnpike (Block No. 7272, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1061-40-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed November 4, 1940, an appeal from decisions of the borough superintendent of buildings; premises 80-04, 80-08 and 80-12 192nd street, southwest corner of Union Turnpike (Block No. 7272, Lot No. 1), Flushing, Borough of Queens; and

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WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 6841, 6847 and 6848-40, dated October 14 and 21, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2—Building Code."

and
WHEREAS, the premises consist of a plot fronting 100 ft. on Union Turnpike and 120 ft. on 192nd street; located in a business and residence use D area district; it is proposed to subdivide the plot into three separate lots and to erect thereon three one-family frame dwellings and three frame private garages; two of the dwellings will be 27 ft. by 27 ft. in area, and one will be 26 ft. 6 in. by 33 ft. 6 in. in area; the dwellings will not exceed two and one-half stories in height; garages will be 11 ft. by 19 ft. 8 in. in area; dwellings will be set back from 192nd street a distance of 23 ft., into which setback bay windows may project 2 ft. and front entrances and steps may project 7 ft.; the building located at the corner of Union Turnpike will be set back from Union Turnpike a distance of 8 ft.; side yards will be provided along the north lot lines not less than 8 ft. in width and along the south lot lines not less than 4 ft. in width; garages will be located not nearer than 3 ft. to side and rear lot lines; the dwellings will be surfaced on the exterior at the first story with masonry veneer and with stucco, asbestos shingles or masonry veneer above; roofs will be surfaced with slate; side entrances may project into side yards a distance of 3 ft. and chimney breasts may project into side yards a distance of 2 ft.; garages will be surfaced on the exterior with masonry veneer, except for front frame dormers, which will be surfaced with wood siding; garage roofs will be surfaced with slate; and

WHEREAS, the applicant contends that the use of the premises for business purposes is impractical; that to leave the property unbuilt upon would cause it to remain an eyesore; that the proposed buildings will be in harmony with the balance of the development, and, therefore, permission is requested to construct same as proposed in harmony with the remainder of the area owned by the same owner.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 6841, 6847 and 6848-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the building shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1066-40-A.

APPLICANT—William J. Boegel, for Sisters of St. Joseph, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—9901 Shore road, southeast corner of 99th street (Block No. 6133, Lot Nos. 11 and 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: William J. Boegel.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1066-40-A)

WHEREAS, William J. Boegel, for Sisters of St. Joseph, owner, filed November 6, 1940, an appeal from a decision of the borough superintendent of buildings; premises 9901

Shore road, southeast corner of 99th street (Block No. 6133, Lot Nos. 11 and 13), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on an amendment to New Building Application No. 952-40, dated October 31, 1940, reads:

"1. Mechanical ventilation of this building is required by Sect. 5.1.9.1 of the Bldg. Code."

and
WHEREAS, the building will be one story (26 ft.) in height, 54 ft. 8 in. by 105 ft. 2 in. in area; of Class 6 construction; located in a residence use district; occupied as a gymnasium for 450 persons; and

WHEREAS, the applicant contends that the building will be used primarily for physical training classes of from twenty-five to thirty girls; that the building is free standing; that the room as now planned will have four groups of three double-hung windows on each side, each window 2 ft. 8 in. by 6 ft. 6 in., and, also, six roof ventilators; that the room will not be used for continuous periods of more than two hours; that the cost to provide mechanical ventilation and operation of the system would be excessive, especially since the building is occupied for only part of the day and approximately only 180 days in each year.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 952-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the windows and ventilators as proposed shall be maintained; that at no time shall the occupancy of the building exceed 150 persons, and granted only so long as the building is occupied as proposed and in all other respects complies with all requirements of all laws, rules and regulations applicable thereto.

1068-40-A.

APPLICANT—Edward Kiernan, for McDowell Sprinkler Company, for Central Hanover Bank and Trust Company, Trustees, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—118 Nassau street, east side, 116.9 ft. north of Ann street (Block No. 92, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Kiernan.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1068-40-A)

WHEREAS, Edward Kiernan, for McDowell Sprinkler Company, for Central Hanover Bank and Trust Company, Trustees, owner, filed November 6, 1940, an appeal from an order and a decision of the fire commissioner; premises 118 Nassau street, east side, 116.9 ft. north of Ann street (Block No. 92, Lot No. 26), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 8924-LF, dated June 18, 1940, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated October 14, 1940, reads:

"In reply to your request to rescind Item 1 of order No. 8924-LF, requiring a standard wet automatic

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sprinkler system in the cellar, a reinspection has been made and in view of the lack of a direct entrance to the cellar from sidewalk, inadequate means of ventilation and combustible materials stored in such cellar, your request must be denied."

and

WHEREAS, the building is five stories (56.2 ft.) in height, 17 ft. by 75 ft. in area; of Class 3 construction; located in an unrestricted use district; erected prior to 1870, and occupied: sub-cellar, vacant; cellar, drug storage, 2 persons; first story, drug sales, 5 persons; second story, optician, 1 person; third story, drug storage, no persons; fourth and fifth stories, vacant; and

WHEREAS, the applicant contends that there is an existing perforated pipe system in the sub-cellar, which will be placed in working order in compliance with the requirement of the fire commissioner; that it would be a hardship at this time to require the owner to install a wet sprinkler system, and, therefore, permission is requested to install a non-automatic sprinkler system without alarm in the cellar.

Resolved, that the order of the fire commissioner, Order No. 8924-LF, Objection No. 1, as repeated in a decision of the fire commissioner October 14, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a wet automatic sprinkler system complying with the requirements of the Building Code therefor, except that the water supply may be taken from the domestic water supply of the building, provided that such supply is not less than 1½ in. in diameter; that a single hose inlet may be installed on the street frontage for the cellar system in addition to the existing siamese inlet for use in connection with the perforated pipe system in the sub-cellar and which is to be put in proper working order satisfactory to the fire commissioner; that proper signs shall be installed on each hose inlet, indicating the area covered, and such signs on the caps shall be painted aluminum; that the waterflow alarm may be omitted.

1073-40-A.

APPLICANT—Alexander Zager, for Utopia Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—171-03, 171-07, 171-11, 171-15, 171-19, 171-23 and 171-29 Underhill avenue, north side, between 171st street and Fresh Meadow lane (Block No. 5576, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Stein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1073-40-A)

WHEREAS, Alexander Zager, for Utopia Estates, Incorporated, owner, filed November 12, 1940, an appeal from decisions of the borough superintendent of buildings; premises 171-03 to 171-29 Underhill avenue, northeast corner of 171st street (Block No. 5576, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings, on New Building Application Nos. 5756 to 5762-40, inclusive, dated October 29, 1940, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the premises consist of a plot fronting 395.65 ft. on Underhill avenue and 103.05 ft. on 171st street; located

in a business and residence use D area district; it is proposed to subdivide the plot into seven separate lots and to erect on six of these lots a one or one and one-half story frame one-family dwelling, 25 ft. by 38 ft. 8 in. in area, and a private garage, 11 ft. by 19 ft. 6 in. in area, and on the remaining lot a one and one-half story frame one-family dwelling, 38 ft. 8 in. by 29 ft. in area, and a one-car private garage, 11 ft. by 19 ft. 6 in. in area; the dwellings will be set back from Underhill avenue a distance of 15 ft., into which setback front entrances may project a distance of 5 ft., except that the dwelling to be located on the lot, 86.26 ft. west of Fresh Meadow lane, such setback of 15 ft. will be to the main wall of the building with front entrance projecting 4 ft. into such setback and front entrance steps an additional 5 ft.; that side yards shall be provided on the easterly lot lines of 5 ft. in width each; for the five buildings to be located within 221.80 ft. of 171st street yards will be provided on the westerly sides of not less than 10 ft. in width; the dwelling to be located on the lot 214.11 ft. west of Fresh Meadow lane will have a side yard on the westerly side of 12 ft. and on the easterly side of 9 ft.; the dwelling to be located on the lot 86.26 ft. west of Fresh Meadow lane will have a side yard on the westerly side of 5 ft. and will be located not nearer than 8 ft. to the rear lot line; the dwelling to be located on the northeasterly corner of 171st street and Underhill avenue (171-03 Underhill avenue) will be set back from 171st street an average of 15 ft.; garages will be located not nearer than 1 ft. to side or rear lot lines; the dwellings will be surfaced on the exterior of the first story with masonry veneer and with asbestos shingles above; roofs will be of approved asphalt shingles; garages will be of Class 3 construction, with hip roofs surfaced with asphalt shingles, with front frame dormers surfaced with wood siding or asbestos shingles; and

WHEREAS, the applicant contends that the appeal should be granted for the same reasons as under Cal. No. 1033-40-A.

Resolved, that the decisions of the borough superintendent of buildings, on New Building Application Nos. 5756 to 5762-40, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the dwellings and accessory garages shall be constructed as proposed; that each dwelling shall be restricted to the occupancy of one family; that in all other respects the buildings shall comply with all laws, rules and regulations applicable to a similar building erected outside the fire limits.

1076-40-A.

APPLICANT—Max Siegel, for Mills Hotel Trust, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—161 West 36th street and 485 Seventh avenue (Block No. 812, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1076-40-A)

WHEREAS, Max Siegel, for Mills Hotel Trust, owner, filed November 12, 1940, an appeal from a decision of the borough superintendent of buildings; premises 161 West 36th street and 485 Seventh avenue (Block No. 812, Lot No. 1), Borough of Manhattan; and

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WHEREAS, the decision of the borough superintendent of buildings, on Building Notice Application No. 4016-40, dated November 8, 1940, reads:

"Celotex ceiling not permitted B.C. 10.9.2.8 and B.C. 10.9.2.3."

and

WHEREAS, the building is fifteen stories and basement (156 ft.) in height, 169 ft. 10 in. by 88 ft. 9 in. in area; of Class 1 construction; located in an unrestricted use B area district; erected in 1905, and occupied: sub-cellar, boiler-room and storage; basement, sitting room and hotel accessories; first to fifteenth stories, inclusive, transient hotel, 150 sleeping rooms per story; and

WHEREAS, the applicant contends that the building is of fireproof construction; that the sitting room or lounge was recently modernized and, among other things, the ceiling was covered with $\frac{1}{2}$ in. thick Celotex tile board cemented directly to the ceiling construction; that the installation of Celotex was disapproved by the borough superintendent of buildings as it is classified as combustible construction and not considered trim; that it is requested that the existing ceiling covering as installed be accepted in view of the use of the room being limited solely to the sitting room and lounge for the hotel; that this room is completely separated from the balance of the building by fireproof construction; that existing openings leading to the lobby will be provided with fireproof, self-closing doors; that the building is equipped with a fire alarm system with a station located immediately outside the door of the room in question; that there is a standpipe hose outlet located in the room in question; that the room is at all times under the supervision of a clerk; that the ceiling is 12 ft. in height and is, therefore, not easily subject to conflagration.

Resolved, that the decision of the borough superintendent of buildings, on Building Notice Application No. 4016-40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed Celotex tile board shall be cemented directly to the fireproof ceiling construction; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the fire alarm system and standpipe system shall be maintained to the satisfaction of the fire commissioner at all times; that the existing openings to the lobby will be provided with approved fireproof, self-closing doors.

1079-40-A.

APPLICANT—Sidney L. Strauss, for Waverly Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—100-102 Worth street, south side, 175 ft. east of Broadway (Block No. 157, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1079-40-A)

WHEREAS, Sidney L. Strauss, for Waverly Corporation, owner, filed November 13, 1940, an appeal from an order and a decision of the fire commissioner; premises 100-102 Worth street, south side, 175 ft. east of Broadway (Block No. 157, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 7603-LF, dated March 11, 1940, reads:

"1. Install an approved standpipe system arranged and equipped as per Art. 17, Ch. 26, Adm. Code. C19-161.0 Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated October 29, 1940, reads:

"In reply to your letter in reference to Item 1 of Order No. 7603 LF, you are advised that the height of the building as described by the Adm. Code is 89 ft. high, and your request to rescind this item must be denied."

and

WHEREAS, the building is six stories (89 ft.) in height, 50 ft. 1 in. by 75 ft. in area; of Class 3 construction; located in an unrestricted use B area district; erected in 1869; equipped with a perforated pipe system in cellar and sub-cellar; occupied as follows: sub-cellar, boiler-room and storage, 1 person; cellar, storage, no persons; first story, sale of office furniture, 3 persons; second story, office, 13 persons; third story, sale of office stationery supplies, 4 persons; fourth story, part office and part vacant, 3 persons; fifth story, office, 16 persons; sixth story, vacant; and

WHEREAS, the applicant contends that there is a perforated pipe system in the ceiling of the cellar and sub-cellar connected to the siamese at the street front; that there is an existing $2\frac{1}{2}$ in. standpipe riser on the outside of the building with coupling at street level and coupling at each of the floors, including the roof; there is a high-pressure fire hydrant directly in front of the premises; that at the time the building was erected the limit for standpipe was 100 ft.; that the maximum height from sidewalk level to the roof is 89 ft. at front and approximately 86 ft. at the rear; that there is a fireproof enclosed stair from sub-cellar to roof, equipped with fireproof doors at all openings, and a legal fire escape at the front of the building; that there is a combination freight and passenger elevator from cellar to top story, fireproof, enclosed; there is a sidewalk elevator from sidewalk to sub-cellar; that it is respectfully requested that the requirements for standpipe system be waived and accepted as it exists.

Resolved, that the order of the fire commissioner, Order No. 7603-LF, as repeated in a decision of the fire commissioner October 29, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the perforated pipe system in the cellar and sub-cellar shall be maintained to the satisfaction of the fire commissioner; that the existing standpipe system shall be similarly maintained; that the building shall not be increased in height or area, and that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

1082-40-A.

APPLICANT—J. M. Berlinger, for 444 86th Street Holding Company, Incorporated, owner (Tupli Shops, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—444 86th street, south side, 337 ft. $1\frac{3}{8}$ in. east of Fourth avenue (Block No. 6045, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Berlinger, C. I. Goldman and Harry L. Schein.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock and Commissioners Savage and Blum 3

Absent: Assistant Chief McCarthy 1

MINUTES

THE RESOLUTION—

(1082-40-A)

WHEREAS, J. M. Berlinger, for 444 86th Street Holding Company, Incorporated, owner, filed November 13, 1940, an appeal from a decision of the borough superintendent of buildings; premises 444 86th street, 337 ft. 1 3/8 in. east of Fourth avenue (Block No. 6045, Lot No. 24), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3372-40, dated November 1, 1940, reads:

"Exit stairs should be provided with direct egress to the street as required by Sect. 6.3.3 of the Code."

and

WHEREAS, the building is three stories (22 ft. 10 in.) in height, 25 ft. by 55 ft. in area; of Class 3 construction; located in a business use district; erected in 1921, and occupied: cellar, storage and boiler-room, 1 person; first story, store, 12 persons; second story, dwelling, 6 persons; no certificate of occupancy has been issued; and

WHEREAS, it is proposed to erect an extension in the rear containing a stairway leading from first to second story and from first story to cellar; it is also proposed to remove the existing stairway at front of the building; to discontinue the use of the second story as a dwelling and to use such space in conjunction with the occupancy of the first story; to alter the store front without disturbing any part of the front wall; and

WHEREAS, the applicant contends that the building will be occupied by one tenant; that the store on the first story will be used for the sale and display of wearing apparel; that the second story has a private office and stock space in conjunction with the first story; that the plans filed with the borough superintendent of buildings provide for the use of stair from second story to the first story and to the street through the first story store; that the ceiling of the store and the cellar will be fire-retarded; that egress can also be had through the rear yard by means of gates in the existing fence and adjoining premises; that the building is only two stories in height and access can be had to the roof by means of a stationary iron ladder and scuttle and thence to adjoining roofs at same level; that there will be no customers admitted to the second story; that as the building is only 18 ft. 4 in. wide, it is proposed to utilize the entire frontage for display purposes; that in view of the low occupancy of the second story, it would be a hardship to insist upon compliance with the requirements of the Building Code.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3372-40, be and it hereby is affirmed and that the appeal be and it hereby is denied.

1089-40-A.

APPLICANT—Jacob Lubroth, for Belle Bergner, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—33 Exeter street, east side, 256 ft. south of Shore road (Block No. 7516, Lot No. 1272), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Lubroth.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock and Commissioners Savage and Blum	3
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1089-40-A)

WHEREAS, Jacob Lubroth, for Belle Bergner, owner, filed November 14, 1940, an appeal from a decision of the borough

superintendent of buildings; premises 33 Exeter street, east side, 256 ft. south of Shore road (Block No. 7516, Lot No. 1272), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 5107-40, dated November 8, 1940, reads:

"1. Proposed change of occupancy is contrary to Section 2.1.3.5 in its application to Section 8.7.2.1."

and

WHEREAS, the building is two stories and attic (30 ft.) in height, 35 ft. by 35 ft. in area; of Class 4 construction; erected in 1927; located in a residence use district; occupied as a one-family dwelling; it is proposed to be occupied: cellar, ordinary use; first story and second story, one family combined; attic, one family; and

WHEREAS, the applicant contends that the building occupies less than 21 per cent. of the plot area and is set back from interior lot lines a distance of 10 ft. and 15 ft., respectively; that all exterior walls are brick veneered; that the building is not being enlarged, and that it is a considerable financial burden for the owner to carry this property as a one-family dwelling.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 5107-40, be and it hereby is affirmed and that the appeal be and it hereby is denied.

1092-40-A.

APPLICANT—Saul Goldsmith, for James H. Gilvarry, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—388-390 Court street, southwest corner of Carroll street (Block No. 356, Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen Halperin.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1092-40-A)

WHEREAS, Saul Goldsmith, for James H. Gilvarry, owner, filed November 15, 1940, an appeal from a decision of the borough superintendent of buildings; premises 388-390 Court street, southwest corner of Carroll street (Block No. 356, Lot No. 27), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, relative to Certificate of Occupancy No. 2002, dated November 14, 1940, reads:

"This is to acknowledge receipt of your communication of recent date concerning the revocation of Certificate of Occupancy No. 2002 issued for the above premises.

Your request is herewith denied because of lack of jurisdiction. The Board of Standards & Appeals is the only Municipal agency vested with the power to revoke a Certificate of Occupancy."

and

WHEREAS, the building is three stories (45 ft.) in height, 40 ft. by 60 ft. in area; of Class 3 construction; located in a business use district; erected in 1880, and occupied: cellar, storage; first story, store; second story, restaurant, 15 persons; third story, dwelling, two families; fourth story, storage of household goods; it is proposed to be occupied: cellar, storage and boiler-room; first story, two stores; second story, four families; third story, four families; fourth story to be removed; Certificate of Occupancy No.

MINUTES

2002, issued June 6, 1929, permits the present use and occupancy; and

WHEREAS, the applicant contends that the purpose of the appeal is for the revocation of Certificate of Occupancy No. 2002 issued June 6, 1929, and Alteration 83 of 1929 upon which the certificate of occupancy was issued; to reestablish the status of the premises to its original classification of Old Law Tenement in order to carry out the intentions of the owner under Alteration 5481 filed with the Department of Housing and Buildings on October 28, 1940; that Certificate of Occupancy No. 2002 calling for a store and two-family occupancy was secured as a temporary expedient and not as a permanent occupancy; that it is now proposed, under Alteration Application No. 5481-40, to make the building fully comply with the Multiple Dwelling Law as to fire-retarding, etc., and modernize and rehabilitate the building, installing new bathrooms and new kitchens for each family at each floor and rearranging some partitions for better layouts.

Resolved, that the decision of the borough superintendent of buildings, refusing to revoke the certificate of occupancy, be and it hereby is *reversed* and that the appeal be and it hereby is *granted on condition* that Certificate of Occupancy No. 2002 be and it hereby is *revoked* in order to carry out the intention of the owner under Alteration Application No. 5481-40, to restore the building, formerly a tenement, to a tenement, in full compliance with the requirements therefor as set forth in article 7 of the Multiple Dwelling Law.

1093-40-A.

APPLICANT—Irving Adelson, for Mount Zion Baptist Church, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1807 Bath avenue, northwest corner of Bay 19th street (Block No. 6403, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Adelson and Rev. S. L. Arington.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1093-40-A)

WHEREAS, Irving Adelson, for Mount Zion Baptist Church, owner, filed November 15, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1807 Bath avenue, northwest corner of Bay 19th street (Block No. 6403, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 5169-40, dated November 15, 1940, reads:

"2. Proposed use of 1st fl. of present frame building for public use is contrary to 4.2.1 of Code."

and

WHEREAS, the building is two stories (23 ft.) in height, 50 ft. by 50 ft. in area at first story and 30 ft. 6 in. by 50 ft. in area at second story; of Class 4 construction; located in a residence use district; erected in 1895, and occupied: cellar, ordinary use; first story, prayer room and dining room, 75 persons; second story, caretaker's apartment; and

WHEREAS, Violation No. 3601-40 was issued September 10, 1940, which reads as follows:

"You will please take notice that there exists a violation of Section 2.1.3.5 of the building code and sect. C26-183.0 of the admin. code at the premises herein-

after described, in that Building being occupied as a church on first story and two families on 2nd story Building is a one story frame. First story occupied as church; second story occupied by two families.

Remedy: You are hereby directed to obtain a certificate of occupancy and cease use of building until certificate of occupancy has been obtained."

and

WHEREAS, the applicant contends that it is proposed to use the westerly portion of the first story as a prayer room that the easterly portion of the first story is to be used as a dining room by the members of the congregation; that the sexton lives on the second story; that the use is temporary until sufficient funds are realized for erection of a new building; that the building is well built; that the easterly and northerly walls are brick filled and are to be covered with asbestos shingles on first and second stories; that the westerly wall on first story is of brick and the front wall of first story will be of brick; that the building is fully detached, having a rear yard 7 ft. wide and a side yard 2 ft. 8 3/4 in.; that the actual prayer area is about 1,132 sq. ft. that no children are taught on the premises nor is any school conducted; floor loads and exits will comply; that the cellar ceiling will be fire-retarded, and stairs from cellar to first story will be enclosed in fireproof partitions with fireproof door leading thereto.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 5169-40, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be used only as proposed; that the alterations as proposed shall be carried out; that, in addition, there shall be provided a ladder on the side extension roof of sufficient length to reach the ground to permit exit from the second story by means of the window and such roof; that this variance is granted for a term of two (2) years from the date of this resolution; that the building shall not be increased in height or area.

884-39-A.

APPLICANT—James A. Shea, for Sarah Barch, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (reopened September 17, 1940, for rehearing by order of the Court; previously denied by the Board).

PREMISES AFFECTED—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: James A. Shea.

For Opposition: Charles C. Morano.

ACTION OF BOARD—Action of Board of September 26, 1939, reaffirmed.

THE VOTE TO AFFIRM ACTION OF SEPTEMBER 26, 1939—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(884-39-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, affecting premises 81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens was denied by the Board September 26, 1939; and

WHEREAS, this appeal was reopened by vote of the Board September 17, 1940, by order of the Court; and

WHEREAS, the Board deemed that the previous decision of September 26, 1939, denying the appeal, should be reaffirmed.

Resolved, that the action of the Board of September 26, 1939, be and it hereby is *reaffirmed*.

MINUTES

VARIATION OF THE LABOR LAW.

551-40-S.

APPLICANT—Jack Z. Cohen, for Chand Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Variation from the requirements of the Labor Law as cited in orders and a decision of the fire commissioner and a decision—re an order of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—3-7 West 22nd street, north side, 120 ft. west of Fifth avenue (Block No. 824, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer and Charles Schiermeister.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Request to reopen withdrawn after argument.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

APPLIANCE SUBMITTED FOR APPROVAL.

1015-40-SA.

APPLICANT—William V. McDevit, for Sears, Roebuck and Company, owner.

SUBJECT—Hercules Junior, Model 2101, Oil Burner, approval of.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1015-40-SA)

WHEREAS, William V. McDevit, for Sears, Roebuck and Company, owner, filed October 23, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Hercules Junior, Model 2101, Oil Burner; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 18, 1940.

Cal. No. 1015-40-SA.

Subject: Hercules Junior, Model 2101, Oil Burner, approval of.

William V. McDevit, for Sears, Roebuck and Company, owner, filed October 23, 1940, an application with the Board of Standards and Appeals for approval of the Hercules Junior, Model 2101, Oil Burner under the provision of C19-57.0, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals. The burner was inspected and tested at 56 Clove Lake place November 7, 1940, in the presence of Commissioner Blum and Chief Engineer Huber of the Board of Standards and Appeals, William V. McDevit and

S. S. Eldridge and Samuel Gutenberg, representing the Sears, Roebuck Company, and was found to work satisfactorily with no flarebacks or unusual carbon deposits. When the oil was shut off the burner shut down in 194 seconds.

The 2101 burner is a pressure atomizing mechanical draft type of oil burner designed for use in small heating plants.

ASSEMBLY

The assembly consists of motor, ignition transformer, fuel oil pump and regulating valve, Sorocco type of blower, a gun assembly consisting of electrodes, electrode insulators, casting for holding them central in the tube, oil tube leading from the pressure side of the pump on to which the nozzle is attached, the whole assembly being inside of the blast tube and arranged and located in such a manner as to be readily taken out of the tube for inspection and service.

This burner is equipped with a Sunlight 1/10 horsepower 60 cycle 110 volt, A.C. long hour duty type motor having an overload relay built in the end bell of the motor.

The pump is made by the Sundstrand Machine Tool Company and is a rotary internal gear type having a mechanical seal to protect against leaks around the shaft. Also incorporated in the same casting is the piston type regulating valve controlling the amount of pressure under which oil is delivered to the nozzle. An adjustment is provided for varying the amount of pressure on the fuel oil delivered to the nozzle. This pressure is adjusted to 100 pounds.

The fan used is manufactured by Torrington Manufacturing Company and is 5 in. x 3 in. in size.

Controls furnished are made by the Mercoid Corporation and consist of a main line safety control, a room thermostat, a limit control for either steam or hot water or warm air.

The fan housing, blast tube, base, mounting flange and pump housing are made of cast iron. This burner is approved by the Underwriters' Laboratories and Commercial Standards for a capacity of not greater than 1.35 gallons per hour.

As a result of this inspection and test, it is recommended that the Hercules Junior, Model 2101, Oil Burner, be approved for use in New York City in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Department of Commerce standards, for use with a nozzle having a fuel capacity of not greater than 1.35 gallons per hour, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with this report, on condition that the burner bear a label permanently attached, reading:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1015-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Hercules Junior, Model 2101, Oil Burner, on condition that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

MINUTES

MATERIALS SUBMITTED FOR APPROVAL.

157-38-SM.

APPLICANT—The Dextrone Company, owner.

SUBJECT—Lith-I-Bar Joist, approval of.

APPEARANCES—

For Applicant: Louis Falco.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(157-38-SM)

WHEREAS, The Dextrone Company, owner, filed March 10, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Lith-I-Bar Joist; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is *dismissed* for lack of prosecution.

749-38-SM.

APPLICANT—Zenitherm Products, Incorporated, owner.

SUBJECT—Zenitherm (wall and floor covering), approval of.

APPEARANCES—

For Applicant: Thomas B. Garvin.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum

Negative

Absent: Assistant Chief McCarthy

THE RESOLUTION—

(749-38-SM)

WHEREAS, The Zenitherm Products, Incorporated, owner, filed August 26, 1938, an application with the Board of Standards and Appeals for approval of the material known as Zenitherm (wall and floor covering); and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is *dismissed* for lack of prosecution.

1049-40-SM.

APPLICANT—Jacob Frankel, owner.

SUBJECT—Frankel Suspending Devices for a Life Saving Rope and Belt for Scaffold Use, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum

Negative

Absent: Assistant Chief McCarthy

Recessed at 5:25 P.M., November 19, to November 20, 1940, at 10 A.M.; adjourned at 12:30 P.M., November 20, 1940.

JOSEPH J. DOYLE, Chief Clerk

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to November 26, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>	
1107-40-A.....	H.B.B.....	2111-2131 East 36th street, east side, 216 ft. 6 in. south of Avenue T, and 2102-2148 East 36th street, west side, 170 ft. 10 in. south of Avenue T (Block No. 8535, Lot Nos. 46 to 49, inclusive, 52, 54 to 57, inclusive, 59, 60, 62, 63, 64 and 66, and Block No. 8536, Lot Nos. 26, 28, 29, 31, 32, 34 and 35), Borough of Brooklyn,	Decision.
1108-40-A.....	F.D.....	400-410 East Fordham road, south side, from Webster avenue to Park avenue, 2506-2526 Webster avenue and 4747-4763 Park avenue (Block No. 3033, Lot No. 12), Borough of The Bronx,	6426-L.F. and Decision.
1109-40-A.....	H.B.B.....	5901 Seventh avenue, southeast corner of 59th street (Block No. 866, Lot No. 10), Borough of Brooklyn,	Alt. 5513-40.
1110-40-A.....	H.B.Bx....	626 St. Ann's avenue, east side, 73.89 ft. south of Westchester avenue (Block No. 2616, Lot No. 22), Borough of The Bronx,	Alt. 874-40.
1111-40-BZ....	H.B.M....	600 Eleventh avenue and 554 West 45th street, southeast corner (Block No. 1073, Lot No. 1), Borough of Manhattan,	Drop Curb Applic. 4083-40.
1112-40-A.....	H.B.B.....	72-82 Franklin avenue, northwest corner of Park avenue (Block No. 1884, Lot Nos. 7 and 75 to 78, inclusive), Borough of Brooklyn,	Alt. Nos. 3586-40 to 3591-40, inclusive.
1113-40-A.....	H.B.Q.....	73-03 and 73-07 189th street, southeast corner of 75th avenue and east side of 189th street, 581 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of	
1114-40-SM.....			Trulock Safety Screen (Combination Detention and Insect Screen), manufactured by Carl E. Trulock, Material.
1115-40-BZ....	H.B.B.....	2101-2129 Surf avenue, northwest corner of West 21st street (Block No. 7058, Lot Nos. 27 to 50, inclusive), Borough of Brooklyn,	D.C. Applic. 1705-40.
1116-40-BZ....	H.B.B.....	2100-2116 Surf avenue, southwest corner of West 21st street (Block No. 7071, Lot Nos. 106 to 115, inclusive), Borough of Brooklyn,	D.C. Applic. 1706-40.
1117-40-SA.....			Simpson Electric Company Ammeters, Voltmeters and Milliammeters, AC and DC Types, Appliance.
1118-40-SA.....			Central Station Signals, Incorporated, Automatic Fire Alarm System, Appliance.
1119-40-BZ....	H.B.Q.....	137-35 Queens boulevard, northeast corner of 84th road (Block No. 9651, Lot No. 15), Briarwood, Borough of Queens,	Misc. Applic. 9163-40.
1120-40-BZ....	H.B.Q.....	137-15 Queens boulevard, northwest corner of 84th road (Block No. 9652, Lot No. 96), Briarwood, Borough of Queens,	Misc. Applic. 7858-40.
1121-40-BZ....	H.B.Q.....	94-14 to 94-36 Roosevelt avenue, south side, from 94th street to 95th street, 40-03 94th street and 40-02 95th street (Block No. 701, Lot Nos. 92, 94, 96 and 97), Elmhurst, Borough of Queens,	Alt. 175-40.
1122-40-A.....	H.B.M....	153-159 West 27th street, north side, 106 ft. 2½ in. east of Seventh avenue (Block No. 803, Lot No. 7), Borough of Manhattan,	Misc. Applic. 931-40.

Queens,

N.B. 7153-40 and
N.B. 7164-40.

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Restored to Calendar.

388-37-BZ....H.B.Bx....2159 White Plains avenue, west side, 250 ft. south of Pelham Parkway South (Block No. 4317, part of Lot No. 60), Borough of The Bronx, B.N. 766-40.

COURT DECISION.

440 East 102nd Street Corporation vs. the Board of Standards and Appeals. On November 21, 1939, the Board granted appeal to revoke permit, certificate of occupancy for a gasoline station and curb cuts, under Cal. No. 1219-39-A, on the ground that transforming premises used as a stable and its accessories to the structural unit as a gasoline station is not permitted as a matter of right under section 6; premises 440 East 102nd street, southwest corner of East River drive, Borough of Manhattan.

The Appellate Division unanimously reversed the order of Special Term reversing the Board and reinstated the Board's determination. The facts agreed upon were that prior to 1934 the premises were in an unrestricted district but on December 7, 1934, were rezoned for residential use; that the premises had been used for stable and junk yard purposes since prior to 1916; that of four buildings existing on the premises two were demolished by the Park Department in connection with widening of the East River drive, one was destroyed by fire and the remaining building, while unaltered on the interior was stuccoed on the exterior for use in connection with the transformation of the premises into a modern gasoline station, in substitution of what had previously existed on that part of the premises left after condemnation proceedings.

The Court held in part: "We think that the decision of the Board of Standards and Appeals was correct and should have been confirmed. We base our holding, first, upon the ground that the alteration of the premises herein involved a structural alteration of the building found thereon, as well as of the whole premises; and, second, upon the ground that the change of use involved was not permitted under Section 6 of the Building Zone Resolution, in view of the alteration made in the building and premises." "Both sides concede that if a structural alteration was made in the building found on the premises involved, Section 6 would not permit the change in use proposed herein." "It is plain that these whole premises were completely made over in connection with the present change of use." "There was a material alteration at least in the outside of the only building found on the plot, which taken in connection with the other changes made on the premises, must be held to be a structural alteration of said building as that term is used in the statute." "We deem that a proper finding upon the undisputed facts would have been that the changes made in the remaining building, considered in the light of the general alteration of the premises, constituted a structural alteration of that building as well as of the premises." (N.Y.L.J., November 23, 1940).

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

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DECEMBER 3, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubricatorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

CAL. NO. 285-36-BZ—Application of Frederick W. Rothamel, applicant, on behalf of Otto Gebhardt, owner (Revonah Laundry, Incorporated, lessee), reopened April 9, 1940, under section 21 of the building zone resolution, to permit in a business use district the storage of more than five (5) motor vehicles (previously granted on condition—re change of occupancy of an existing building to a garage for more

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than five (5) motor vehicles, motor vehicle repair shop and, also, gasoline service station); premises 72-27 Cypress Hills street, northeast side, 199.41 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens.

CAL. NO. 879-40-BZ—Application, August 30, 1940, under section 21 of the building zone resolution, of H. I. Feldman, applicant, on behalf of Boiaz Realty Corporation, owner, to permit in a residence use district the alteration and conversion of occupancy of part of a multiple dwelling to business use (stores); premises 2081 Grand Concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

CAL. NO. 512-40-BZ—Application, May 14, 1940, under sections 7b, 7c and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of a building to a motor vehicle repair shop; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue, and 1409 Blondell avenue (Block No. 4074, Lot Nos. 22 and 29), Borough of The Bronx.

CAL. NO. 97-37-BZ—Application of Theodore R. Feinberg, applicant, on behalf of Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee), reopened October 8, 1940, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th

street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 951-40-BZ—Application, October 1, 1940, under section 7c of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Italian Center of Queens, Incorporated, owner, to permit in a business use district, extending into a residence use district, the erection of a building to be used as office, auditorium, banquet rooms, club rooms and kitchen; premises 102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

CAL. NO. 375-40-BZ—Application, April 11, 1940, under sections 7a, 7c and 21 of the building zone resolution, of Thomas O'Rourke Gallagher, applicant, on behalf of Walter A. Beaudel, owner (Beaudel Brothers, lessees), to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit boulevard, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

CAL. NO. 489-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, reopened October 3, 1939, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board); premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 1028-40-BZ—Application, October 24, 1940, under sections 21 and 7a of the building zone resolution, of Aymar Embury II, applicant, on behalf of Metropolitan Jockey Club, owner, to permit in a residence use district the alteration and extension of business buildings used in conjunction with a race track; premises 163-24 and 165-10 Baisley boulevard, south side, 200 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

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Appeals from Administrative Decisions.

1029-40-A—165-10 Baisley boulevard, south side, 480 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street).

1019-40-A—102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Charman.*

DECEMBER 3, 1940, 2 P. M.

Appeals from Administrative Decisions.

992-40-A—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.

969-40-A—366 Kingston avenue, west side, 100 ft. 6 in. (95 ft. 6 in.) north of Crown street (Block No. 1292, Lot No. 44), Borough of Brooklyn.

1099-40-A—212-216 West 48th street, south side, 128 ft. west of Broadway (Block No. 1019, Lot No. 46), Borough of Manhattan.

821-40-A—436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

1122-40-A—153-159 West 27th street, north side, 106 ft. 2½ in. east of Seventh avenue (Block No. 803, Lot No. 7), Borough of Manhattan.

1127-40-A—80-88 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

DECEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 10, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 260-40-BZ—Application, March 5, 1940, under section 7i of the building zone resolution, of Paul Carchiolo and Nils Jensen, applicants and lessees, on behalf of Sadie Rosen, owner, to permit on the business portion of a plot, located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 5501-5513 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn.

CAL. NO. 521-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution,

of Abraham Saul, applicant and owner, to permit in a residence use district and, also, "E" area district, the maintenance of an extension at the rear of the second story of an existing dwelling; said extension does not comply with "E" area requirements; premises 1818 East 29th street, west side, 126 ft. south of Avenue R (Block No. 6834, Lot No. 10), Borough of Brooklyn.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 1016-40-BZ—Application, October 23, 1940, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Kauffman Lewenthal Realty Company, owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store); premises 649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan.

CAL. NO. 278-40-BZ—Application of William R. Altman, applicant, on behalf of One Junel Realty Corporation, owner, reopened November 8, 1939, under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of a garage for more than five (5) motor vehicles

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(previously granted by the Board) from garage use to a motor vehicle repair shop; premises 441 West 167th street and 1 Jumel place, northeast corner (Block No. 2112, Lot No. 58), Borough of Manhattan.

street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, re-opened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, re-opened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

CAL. NO. 416-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of William Sambur, applicant, on behalf of Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

CAL. NO. 1321-39-BZ—Application, October 26, 1939, under sections 7h and 21 of the building zone resolution, of Anna Weschler, applicant and lessee, on behalf of Bernard Flood, owner, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union

DECEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1078-40-A—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

849-40-A—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

1142-40-A—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

DECEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 17, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1090-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 977-40-BZ—Application, October 8, 1940, under section 21 of the building zone resolution, of James A. Boyle, applicant, on behalf of William M. Calder Company, owner, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or show rooms located more than 25 ft. from the intersecting street; premises 3047 Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn.

CAL. NO. 865-40-BZ—Application, August 21, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee), to

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permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn.

CAL. NO. 401-31-BZ—Application of Sidnev L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 304-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of J. M. Berlinger, applicant, on behalf of F. W. Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (stores); premises 11-15 West 8th street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

CAL. NO. 1021-40-BZ—Application, October 24, 1940, under section 21 of the building zone resolution, of Leon J. Shapiro, applicant, on behalf of Robert Bass, owner, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more than 25 ft. from the corner of the street; premises 464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuh's Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h

of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

882-40-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

1004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

1100-40-A—80-40 Cooper avenue, south side, 422 ft. east of 80th street (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street).

881-40-A—291-301 Metropolitan avenue, northwest corner of Roebling street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

DECEMBER 31, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 31, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 518-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution, of Edward A. Schuman, applicant and owner (Forest Hills Cement Block Company, Incorporated, lessee), to permit in a business use district the use of premises for the manufacture of cement blocks; premises 117-30 Springfield boulevard, west side, 44.54 ft. north of 118th avenue (Block No. 3358, Lot No. 61), St. Albans, Borough of Queens.

CAL. NO. 942-40-BZ—Application, September 27, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ratlan Realty Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the reconstruction and structural alterations of a building and, also, premises used as a public garage, motor vehicle repair shop, auto laundry, grease pits and gasoline service station; premises 1927-1943 Atlantic avenue and 17-31 Bancroft place, northeast corner (Block No. 1558, Lot Nos. 1 and 32), Borough of Brooklyn.

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CAL. NO. 990-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Charles M. Spindler, applicant, on behalf of H. D. Hammond Garage, Incorporated, owner, to permit on a premises located partly in a business use district and partly in an unrestricted use district, the extension of a gasoline service station; premises 6518-6524 Fort Hamilton parkway, 913-929 66th street, northwest corner, and 912-922 65th street (Block No. 5750, Lot Nos. 13 and 26), Borough of Brooklyn.

CAL. NO. 807-40-BZ—Application, July 19, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Richard Stiegler, owner (Sarah Stern, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Realty Corporation, owner, reopened October 15, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously denied by the Board under section 21 of the building zone resolution); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 712-38-BZ—Application of Sidney L. Strauss, applicant, on behalf of Steeples Management Corporation, owner, reopened and restored to Calendar November 13, 1940, under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business use in part of the cellar and in part of the first story of an existing multiple dwelling (previously dismissed for lack of prosecution); premises 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

CAL. NO. 1131-40-BZ—Application, November 29, 1940, under sections 7b and 21 of the building zone resolution, of Emil H. Schwab, Jr., applicant, on behalf of Emil Schwab, Sr., Emma Schwab and Emil H. Schwab, Jr., owners, to permit, partly in a residence use district and partly in a business use district, the maintenance of a business use (stores) on the first story of an existing multiple dwelling; premises 2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot No. 30), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 31, 1940, 2 P. M.

Appeal from Administrative Decision.

1006-40-A—141-143 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens (under section 35, General City Law—rebed of mapped street).

JANUARY 7, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 7, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 377-40-BZ—Application, April 11, 1940, under section 7g of the building zone resolution, of William P. Collins, applicant and lessee, on behalf of Long Island Railroad Company, owner, to permit in an unrestricted use district the parking of more than five (5) motor vehicles on a plot located on the same street and between the same two (2) intersecting streets with a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 10 to 19, inclusive), Long Island City, Borough of Queens.

CAL. NO. 983-40-BZ—Application, October 10, 1940, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Dime Savings Bank of Brooklyn, owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn.

CAL. NO. 828-40-BZ—Application, July 30, 1940, under section 7h of the building zone resolution, of Gaetano Tuzzolino, applicant and lessee, on behalf of Milton Hirschman, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of White Plains road and East 236th street (Block No. 5043, Lot No. 6), Borough of The Bronx.

CAL. NO. 604-40-BZ—Application, June 5, 1940, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf of Mary B. MacKay, owner (Etta Ginsberg, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 74-92 Bay Ridge avenue, south side, 200 ft.

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east of Narrows avenue (Block No. 5869, Lot No. 19), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application of Albert C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, reopened October 15, 1940, under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously granted on certain conditions by the Board; Board's decision reversed by Special Term, Supreme Court, without prejudice to taking further proceedings before the Board); premises 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 926-40-BZ—Application, September 18, 1940, under section 7c of the building zone resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises 1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx.

CAL. NO. 1084-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-63 131st street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1085-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-54 134th street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1139-40-BZ—Application, December 2, 1940, under section 21 of the building zone resolution, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and

maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

Appeal from Administrative Decision.

CAL. NO. 758-40-A-MD—Application, July 9, 1940, under section 60 of the Multiple Dwelling Law, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 14, 1941, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, NOVEMBER 26, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Wednesday morning, November 13, 1940, and the minutes of the regular meeting of the Board held on Wednesday afternoon, November 13, 1940, were approved as printed in Bulletin No. 47, Volume 25.

BUILDING ZONE CASES.

59-31-BZ.

APPLICANT—Reginald S. Hardy, for Woodhaven-Liberty Realty Corporation, owner.

SUBJECT—Application reopened May 21, 1940 (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: William J. Dillon.

ACTION OF BOARD—Laid over to December 10, 1940, at 10 A.M., for further consideration pending submission of plans.

177-32-BZ.

APPLICANT—Herbert J. Krapp, for Trebuhs Realty Company, Incorporated, owner.

SUBJECT—Application reopened April 9, 1940 (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station).

PREMISES AFFECTED—160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert J. Krapp and Ray Whitaker.

For Opposition: Samuel Statler and others.

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M. Applicant to notify all affected property owners by registered mail not later than December 6, 1940.

1321-39-BZ.

APPLICANT—Anna Weschler, lessee, for Bernard Flood, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Weschler and L. Weschler.

ACTION OF BOARD—Laid over to December 10, 1940, at 10 A.M. Applicant to notify all affected property owners by regular mail not later than December 6, 1940.

416-40-BZ.

APPLICANT—William Sambur, for Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred W. Roberts, Jr., and Rose Sambur.

ACTION OF BOARD—Laid over to December 10, 1940, at 10 A.M. Applicant to notify all affected property owners by registered mail.

424-17-BZ.

APPLICANT—John T. Dooling, owner (Fordham Motor Sales, Incorporated, lessee).

SUBJECT—Application reopened September 12, 1939 (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) so as to include a motor vehicle repair shop.

PREMISES AFFECTED—565 East Fordham road and 2545 Hoffman street, northwest corner (Block No. 3273, Lot No. 293), Borough of The Bronx.

APPEARANCES—

For Applicant: John T. Dooling and D. M. Jennings.

For Opposition: Agnes Daly, Elizabeth Hillock, Dora Cozzolino and Angelo Cesa.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(424-17-BZ)

WHEREAS, this application, to permit in a business use district the erection of a garage for more than five (5) motor vehicles, premises northwest corner of Fordham road and Hoffman street, Borough of The Bronx, was granted by the Board May 15, 1917, on certain conditions; and

WHEREAS, John T. Dooling, owner, for Fordham Motor Sales, Incorporated (lessee), filed September 12, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of a garage for more than five (5) motor vehicles so as to include a motor vehicle repair shop; premises 565 East Fordham road and 2545 Hoffman street (Block No. 3273, Lot No. 293), Borough of The Bronx; and

WHEREAS, this application was reopened by vote of the Board September 12, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the building zone resolution show that Fordham road is in a business use district; Hoffman street is in a residence and business use district; East 191st street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 20, 1940, and as amended September 26, 1940, reads:

"Please be advised that your application for the conversion of occupancy of the building occupied as a garage for more than five (5) motor vehicles and show room, to a garage for more than five (5) motor vehicles, show room and motor vehicle repair shop, is contrary to Article 2, Section 4 of the Zoning Resolution of the City of New York."

and

WHEREAS, the building is one story (14 ft.) in height, fronting 50 ft. on East Fordham road and 83 ft. on Hoffman street; of Class 3 construction; located in a business use district; it is proposed to occupy part of the existing garage for more than five (5) motor vehicles as a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on May 15, 1917, so that as amended the resolution shall read:

"Resolved, that the appeal be and it hereby is granted on condition that any necessary permits for the prosecution of the work shall be obtained within one (1) year from the date of this approval.

Resolved further, that in the event the owner desires to occupy the building as a sales store in the front and service station in the rear, such use may be permitted under section 7i, on condition that the building is not increased in height or area and that such service work that is done shall consist solely of repairs in connection with cars owned or traded in by the tenant; that in the event the tenant occupies also the adjoining building at 561-563 Fordham road, a door opening may be constructed in the separating wall, provided such opening does not exceed 3 ft. in width and is protected by a door or doors approved for three-hour test; that no additional doors or windows shall be constructed; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Incorporated, owner.

SUBJECT—Application reopened July 2, 1940 (re decision of the borough superintendent of buildings), under sections 7b, 7c and 21 of the building zone resolution, to permit in a residence use district the erection of an extension to be used for business purposes (store) to an existing building used for multiple dwelling with stores, located partly in a business use district and partly in a residence use district (previously granted by the Board).

PREMISES AFFECTED—888 Grand Concourse and 172-180 East 161st street, southeast corner (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary, Joe Sito and A. D. Rubin.

For Opposition: Eliot E. Berkwit and S. Sidney Smith.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Assistant Chief McCarthy 3
Negative: Commissioner Blum 1

THE RESOLUTION—

(329-37-BZ)

WHEREAS, this application, to permit, partly in a residence use district and partly in a business use district, under section 7c of the building zone resolution, the erection and maintenance of a multiple dwelling with stores on the first story, premises 888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx, was granted by the Board on November 16, 1937, on certain conditions; and

WHEREAS, William Shary, for P. and A. D. Rubin, owners, filed September 24, 1940, an application, under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the erection of an extension to such existing building; such extension to be occupied for business use in conjunction with the existing stores; and

WHEREAS, this application was reopened by vote of the Board July 2, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 161st street is in a business use district to a depth of 100 ft., from the east side of Grand Concourse to 100 ft. west of Sheridan avenue; Grand Concourse is in residence and business use districts; Sheridan avenue is in an unrestricted use district; East 159th street is in residence and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 393-40, dated June 11, 1940, reads:

"A-1. Proposed extension for business purposes in present six story and cellar non-fireproof Class 'A' Multiple Dwelling in Residence portion of lot is contrary to the provisions of Art. 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 188.55 ft. on East 161st street, 137 ft. on Grand Concourse and 41 ft. on Sheridan avenue; located partly in residence, business and unrestricted use districts; the southerly 10 ft. for a distance back from Grand Concourse of approximately 237 ft. is zoned for residence use; the Board previously granted a variance so as to permit the extension of the stores into the residential portion of the plot for an approximate depth of 31 ft. 2 in. from Grand Concourse; it is now proposed to construct a further extension, one story in height and 46 ft. 8 in. by 8 ft. in area, so as to bring the total extension of store use in the residence use portion of the plot to a depth of 77 ft. 10 in. from Grand Concourse; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted by the Board on November 16, 1937, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c, to permit the extension of business of the street floor only of the building into the residential area, on condition that such space shall be used only as a retail store, excluding a fish store, meat market, delicatessen shop, bake shop having ovens, or other use deemed by the commissioner to be objectionable, excluding any signs on the building beyond the building line or on the lot line wall within the residential area;

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that there shall be no windows in the lot line wall of the first story opening on the adjoining premises to the south; that the store front construction shall be substantially as indicated on plans filed with this appeal, with plate glass show windows, and at no time constructed as an open front store, and that in all other respects the requirements of the zoning resolution shall be complied with and that all permits shall be obtained and all work shall be completed within one (1) year from the date of this resolution.

Resolved further, that in the event the owner desires to construct an extension in the outer court, as indicated on plans marked 'Received September 24, 1940,' such extension to a retail store may be permitted, on condition that such extension is constructed of fireproof materials throughout and does not exceed the height of one story above grade and in no event exceeds a height of 13 ft.; that such space shall be used solely as a store room and not as a kitchen or dining space; that there shall be no windows or other openings erected in the exterior wall along the lot line or to the outer court; that no skylight shall be erected in the roof; that there shall be an interior ventilating system with in and out ventilation maintained at all times on the retail store premises and, in addition, there shall be a stack from the kitchen extended through the main roof of the building; that in all other respects all laws, rules and regulations applicable thereto shall be complied with, including the requirements of this resolution as hereinabove set forth; that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

224-38-BZ.

APPLICANT—Lama and Proskauer, for Hanover Service Station, Incorporated, owner.

SUBJECT—Application reopened September 17, 1940 (re decision of the borough superintendent of buildings), under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Sacky.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(224-38-BZ)

WHEREAS, this application, to permit, partly in a residence use district and partly in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-09 33rd avenue, northeast corner (Block No. 6025, Lot No. 36), Bayside, Borough of Queens, was denied by the Board June 7, 1938; and

WHEREAS, Lama and Proskauer, for Hanover Service Station, Incorporated, owner, filed July 15, 1940, an application, under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens; and

WHEREAS, this application was reopened by vote of the Board September 17, 1940; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cross Island boulevard is in a business use district; 33rd avenue, 32nd road and Jordan street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1519-1940, dated October 18, 1940, reads:

"1. The creation of a gasoline service station in a business district, is contrary to Article 2, section 4 of the Zoning Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 102 ft. 4 in. on Cross Island boulevard and 91 ft. 2 in. on 33rd avenue; an irregular shaped area of the plot at the north is located in the residence use district and the remainder is located in the business use district; it is proposed to erect a building, 44 ft. by 100 ft. in area, to be used as office, sales room, lubritorium and auto laundry, to install the necessary tanks and pumps, and to occupy the plot as a gasoline service station for a stated term of years; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7f thereof, for a term of ten (10) years, to permit the premises under appeal within the business use district to be occupied as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Cross Island boulevard and shall be arranged substantially as indicated on revised plans marked "Received November 23, 1940," and indicated as Plan "C"; that complete working drawings shall be submitted for further consideration by the Board before same are filed with the Building Department and for such additional conditions as the Board deems necessary to apply; that such working drawings shall be filed within two (2) weeks from the date of this action.

1182-39-BZ.

APPLICANT—Henry Nordheim, for Post Sherman Corporation, owner (Abraham Rubenstein, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Abraham Rubenstein.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1182-39-BZ)

WHEREAS, Henry Nordheim, for Post Sherman Corporation, owner, filed September 26, 1939, an application, under section 7h of the building zone resolution, to permit in a

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business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boscobel avenue is in a business use district; Jerome avenue and Cromwell avenue are in business and residence use districts; Shakespeare avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on an application for a certificate of occupancy, dated September 21, 1939, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is denied, as the premises are located in a business district, as established by the amended building zone resolution, where such occupancy is unlawful."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 102 ft. on Boscobel avenue, a depth of 86 ft. and a distance of 160 ft. along the rear lot line; it is proposed to occupy the site for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored and parked; that the premises shall be leveled substantially to the grade of Boscobel avenue and shall be surfaced with clean gravel or other suitable material, properly rolled and graded for surface drainage, and bound with an asphalt binder to prevent dusting and to provide an impervious surface; that there shall be erected on the interior lot lines, where walls of adjoining premises do not occur, a substantial woven-wire fence of the chain link type with anchored steel posts, not less than 6 ft. in height, with no openings therein to adjoining premises; that a similar fence shall be erected along the building line of Boscobel avenue except that there may be an entrance toward the south not exceeding 15 ft. in width with curb cut opposite of not over 8 ft. in width; that during the term of this permit the premises shall be used for no other purpose other than that herein provided; that no signs shall be permitted except that there may be a sign not over 15 sq. ft. in area attached to the fence and not extending beyond the building line advertising the parking and storage use and stating the fees charged; that lights for general illumination shall be on post standards with metal reflectors so arranged as to reflect toward the center of the premises; that proper aisles shall be maintained at all times for easy ingress and egress; that a space of not less than 18 in. shall be left between alternate rows of cars for ready access thereto; that no building shall be erected thereon, except that there may be erected a building not over 100 sq. ft. in area and not over one story in height, which may be of frame construction, to be used solely as an office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within six (6) months from the date of this action.

690-40-BZ.

APPLICANT—John McBride, lessee, for Fordbrad Realty Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—91-06 Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Muss and John McBride.

For Opposition: James J. Cotter and R. Cronin.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(690-40-BZ)

WHEREAS, John McBride, lessee, for Fordbrad Realty Company, Incorporated, owner, filed June 26, 1940, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-06 Northern boulevard, south side, between 91st street and 92nd street (Block No. 1439, part of Lot No. 1), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 91st street and 92nd street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 3773-40, dated June 6, 1940, reads:

"The parking and storage of more than 5 motor vehicles within a business district is contrary to Article 2, section C of the Zone Law."

and

WHEREAS, the premises, part of a larger parcel, consist of a plot of ground having a frontage of 200 ft. on Northern boulevard, 100 ft. on 91st street and 100 ft. on 92nd street, which it is proposed to use for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored or parked; that the premises shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material which shall be bound with asphalt and properly rolled so as to provide an impervious and reasonably smooth surface and ground drainage; that there shall be erected on the interior lot line a substantial chain link wire fence not less than 6 ft. in height with anchored

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metal posts without any opening therein to the balance of the block; that a similar fence shall be erected on the street building lines of 91st street, 92nd street and Northern boulevard with no openings therein, except an opening from 91st street, as indicated on plans marked "Received June 26, 1940," as an entrance and exit; that such entrance shall not exceed 20 ft. in width; that the curb cut opposite shall not exceed such width; that during the term of this permit the premises shall be used for no other use than the parking and storage of motor vehicles herein permitted, and no buildings shall be erected thereon, except there may be erected a building not over 100 sq. ft. in area and not exceeding one story in height, which may be of frame, for use as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy entrance and egress; that a space of not less than 18 in. shall be left between alternate rows of cars for ready access thereto; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that signs shall be restricted to one sign attached to the fence near the entrance, advertising the parking and storage use and the fees charged, such sign not to exceed 15 sq. ft. in area and not to extend beyond the building line; that any lights erected for general illumination shall be on pipe standards with metal reflectors so arranged as to reflect toward the center of the premises; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution; that the occupancy as a parking lot shall not commence until the termination of the zoning variance granted by the Board under Cal. No. 1421-39-BZ, affecting premises 90-02 Northern boulevard, south side, between 90th street and 91st street, Block No. 1438, part of Lot No. 1, which variation terminates on March 17, 1941.

695-40-BZ.

APPLICANT—Abraham Green, for Manhattan Storage and Warehouse Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles.

PREMISES AFFECTED—148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Green.

For Opposition: B. Katz.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(695-40-BZ)

WHEREAS, Abraham Green, for Manhattan Storage and Warehouse Company, owner, filed June 24, 1940, an application under section 7f of the building zone resolution, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles; premises 148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 26, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 53rd street is in a business and retail use district; West 52nd street is in a business-1 and retail-1 use district; Seventh avenue is in a retail-1

and retail use district; Sixth avenue is in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, on an application for a certificate of occupancy, dated August 7, 1940, reads:

"In answer to your letter of June 17th, 1940 with reference to your application dated June 6th, 1940 for a certificate of occupancy to garage for more than five automobiles, we wish to advise you that same has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by section 4 of the Building Zone Resolution."

and

WHEREAS, the existing building is of Class 3 construction, with a frontage of 33.4 ft. and a depth of 55 ft. 4 in., one story in height; it is proposed to convert the occupancy of the existing five (5) car garage to a garage for ten (10) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7f of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7f thereof, for a term of two (2) years, to permit the existing building to be occupied as a non-storage garage for not more than ten (10) cars, on condition that the building shall not be increased in height or area, and that during such term no signs of any character shall be attached to the building; that there shall be no repairing of motor vehicles on the premises; that no openings from this building to adjoining buildings shall be constructed and any existing openings shall be blocked up with approved masonry; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

Adjourned, 12:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, NOVEMBER 26, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W. P. A. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution (re decision of the acting borough superintendent of buildings), under sections 7c and 7h of the building zone resolution, to permit in a business use district the further extension in area—re parking and storage of more than five (5) motor vehicles (previously granted by the Board).

PREMISES AFFECTED—2159 White Plains avenue, west side, 250 ft. south of Pelham Parkway South (Block No. 4317, part of Lot No. 60), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened, subject to usual procedure.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John J. McCluskey, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Request to reopen withdrawn without prejudice.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

330-33-BZ.

APPLICANT—Jopaul Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: George Bisgier and George De Combo.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(330-33-BZ)

WHEREAS, this application, affecting premises north side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens, was granted by the Board February 14, 1934, on certain conditions, the term of the permit extended from time to time, and applicant requests a further extension of the permit.

Resolved, that the resolution adopted by the Board on February 14, 1934, as last amended by resolution adopted June 11, 1940, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a term of six (6) months from the date of this amended resolution."

492-27-BZ.

APPLICANT—Interborough Engineering Company, for Max's Gas Stations, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1134-1144 East New York avenue, southwest corner of East 98th street (Block No. 4600, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: V. B. Berotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(492-27-BZ)

WHEREAS, this application, affecting premises 1134-1144 East New York avenue, southwest corner of East 98th street (Block No. 4600, Lot No. 7), Borough of Brooklyn, was granted by the Board at its meeting February 28, 1933, on certain conditions, resolution amended May 31, 1933, September 15, 1936, and November 8, 1939, and applicant requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 28, 1933, as last amended November 8, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that there shall be erected along the street lines of the property, other than at entrances as herein permitted, a concrete curbing at least 12 in. wide and at least 5 in. in height, with rounded top; that there may be not over two entrances to East 98th street and not over two entrances to East New York avenue, each not exceeding 30 ft. in width; no portion of any opening to be nearer than 5 ft. to the corner formed by the intersection of the two streets and no portion of any opening nearer to another than 5 ft.; that the curb cuts opposite openings shall not exceed 35 ft. in width each; that there shall be a total of not over four twin pumps and none nearer than 10 ft. from the building line; that there shall be no portable gasoline pumps used on the property or for servicing cars at the curb; that all advertising shall be confined to the globes of the pumps and to permanent signs placed against the existing accessory buildings, prohibiting all temporary signs of every nature and all roof signs, but permitting the erection of not more than two post standards within the building line for the support of signs, which may be illuminated, advertising only the brand of gasoline on sale, provided such signs do not extend beyond the building line for a distance of more than 5 ft.; that any other accessory buildings that may be built shall be of fireproof construction, not over one story in height, harmonizing with the existing accessory buildings, and erected along the interior property lines of the plot; that there shall be a brick wall constructed on the interior lot line and constructed of face brick to match that on the present accessory buildings between this property and the next property adjoining on East New York avenue; that this wall shall be not less than 8 ft. in height and unpierced and properly coped with stone or terra cotta and may be racked back at the rate of

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1 ft. in 4 ft. for a distance of 10 ft. from East New York avenue, starting with the wall not less than 4 ft. in height at that point; that there shall be no open flame permitted on the site; that there shall be no additional excavations other than those existing under the present grease pits and under the present office; that the existing cellar excavation under the office shall be cut off from all other parts of the property with fireproof walls and with the ceiling fire-retarded in accordance with the rules of the Board of Standards and Appeals and the cellar enterable only from the exterior and used only for the heating system and for no other use; that all permits shall be obtained within three (3) months and work completed within six (6) months from the date of this *amended resolution*.

Resolved further, that in the event the owner desires to install four (4) additional 550-gallon approved gasoline storage tanks, located substantially as indicated on plans filed marked 'Received October 30, 1939,' making a total of seven (7) storage tanks on the premises, such installation may be made, provided in all other respects the resolution adopted by the Board is complied with.

Resolved further, that in the event the owner desires to install four (4) additional 550-gallon approved gasoline storage tanks, located substantially as indicated on plans filed, marked 'Received November 26, 1940,' making a total of eight (8) storage tanks on the premises, such installation may be made, provided that in all other respects the resolution adopted by the Board is complied with."

742-39-BZ.

APPLICANT—John F. Meehan, for F. D. Koehler Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the reconstruction of the accessory building on an existing gasoline service station.

PREMISES AFFECTED—1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: John F. Meehan.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(742-39-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the reconstruction of the accessory buildings on an existing gasoline service station, premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond, was granted by the Board October 24, 1939, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on October 24, 1939, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

605-40-BZ.

APPLICANT—Max Siegel, for City of New York, owner of Lot No. 28 (Brick's Service Station, lessee), and Brick's Service Station, owner of Lot Nos. 32 and 33.

SUBJECT—Application for consideration — reopening, amendment of resolution and approval of plans—re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 7f of the building zone resolution, permitting in a business use district the alteration and extension of an existing gasoline service station for a temporary period.

PREMISES AFFECTED—20-40 Grand Street Extension and 255-265 South 4th street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(605-40-BZ)

WHEREAS, this application, to permit in a business use district the alteration and extension of an existing gasoline service station, premises 20-40 Grand Street Extension and 255-265 South 4th street, southeast corner (Block No. 2434, Lot Nos. 28, 32 and 33), Borough of Brooklyn, was granted by the Board October 22, 1940, for a term of ten (10) years under section 7f of the building zone resolution; and

WHEREAS, the applicant requested amendment of the resolution and approval of plans referred to in the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on October 22, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7, subdivision f thereof, for a term of ten (10) years from October 22, 1940, to permit the extension of the legally established station on Lot No. 32, so as to include Lot Nos. 33 and 28, on condition that the station shall be reconstructed and rearranged substantially as indicated on plans filed with this application and marked 'Received June 6, 1940'; that all existing structures and tanks shall be removed from the premises; that the new accessory building shall be constructed of incombustible material, except roof beams and roof boarding may be of wood, provided roof is surfaced with natural slate as indicated; that no windows shall be erected on the interior lot line to the east; that any windows or other openings erected on street lot lines to the south shall be filled with approved glass brick; that the openings to the accessory building may have wood closure doors, provided the greasing equipment is of the hydraulic type shown; that the balance of the plot, except where planting areas are indicated, shall be surfaced with Colprovia or other suitable material; that the planting area shall be maintained with curb protection around same not less than 6 in. in height and 6 in. in width; that no gasoline pumps shall be erected nearer than 15 ft. to either street line and such pumps shall be of the parkway design as approved by the Park Department; that the accessory building shall be constructed with face brick and maintained unpainted; that the pedestals of the gasoline

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pumps shall be of solid masonry harmonizing with accessory building; that entrances shall be restricted to three (3) to Grand Street Extension, not exceeding 30 ft. in width each, and two (2) to South 4th street of similar width; that all curbs, other than the herein permitted curb cuts, shall be restored; that the sidewalk on Grand Street Extension and South 4th street shall be replaced with new surfacing; that there shall be no open excavation under the accessory building; that any heater room shall be separated from the balance of the accessory building by fireproof construction and enterable only from the exterior; that during the term of this permit the premises shall be used for no other use than as a gasoline service station with accessory uses herein permitted and indicated; that there shall be no parking of automobiles except those being serviced and that there shall be no motor vehicle repairing; that no portable gasoline tanks shall be used on or from the premises, and signs shall be restricted to a permanent sign attached to the accessory building and to illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection near the building line of the street intersection of a post standard, advertising solely the brand of gasoline on sale, and permitting such sign to extend beyond the building line a distance of 4 ft. and to be illuminated; that similar signs may be erected attached to accessory building on Grand Street Extension to the east and on South 4th street also to the east; that before plans are filed with the borough superintendent of buildings, complete working drawings, including landscaping plan, showing the type of material proposed to be planted, shall be submitted to the Board for approval by the chairman in behalf of the Board in compliance with this resolution; that such plans shall be submitted within two (2) months from October 22, 1940, and that after approval of such plans, all permits shall be obtained and all work shall be completed within one (1) year thereafter.

Resolved further, that in the event the owner desires to construct a greasing pit in place of hydraulic equipment hereinbefore referred to, such greasing pit may be installed within the accessory building and the closure door may be installed provided the greasing pit is ventilated by means of a duct from the bottom of the pit up through the roof with a motor-driven fan as approved for explosive atmospheres; that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board; that the plans required to be filed for approval marked 'Received November 19, 1940,' are hereby approved as complying with the requirements of this resolution as amended."

632-40-BZ.

APPLICANT—National Parking Company, Incorporated (lessee), for Norvin H. Green, executor, under the will of Erskine Hewitt (deceased).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9 Lexington avenue, east side, 74 ft. south of East 22nd street (Block No. 877, Lot No. 67), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(632-40-BZ)

WHEREAS, National Parking Company, Incorporated (lessee), for Norvin H. Green, executor, under the will of Erskine Hewitt (deceased), owner, filed June 11, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 9 Lexington avenue, east side, 74 ft. south of East 22nd street (Block No. 877, Lot No. 67), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in the subject case although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

969-40-A.

APPLICANT—Lama and Proskauer, for Benjamin J. Friedman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—366 Kingston avenue, west side, 100 ft. 6 in. (95 ft. 6 in.) north of Crown street (Block No. 1292, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Benjamin J. Friedman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 3, 1940, at 2 P.M., for applicant to recheck plans.

858-40-A.

APPLICANT—Frederick P. Kelley, for Lenox Hill Neighborhood Association, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—321-331 East 70th street, north side, 175 ft. west of First avenue (Block No. 1445, Lot Nos. 14 to 19, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

354-40-A.

APPLICANT—Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens.

OWNER OF PREMISES—Paul and Juliet Toth.

SUBJECT—Revocation of Certificate of Occupancy No. 4923A and Permit No. N. B. 3110-37.

PREMISES AFFECTED—24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern.

For Owner: A. A. Wilson.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

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THE RESOLUTION—

(354-40-A)

WHEREAS, Chester W. Cambell, Borough Superintendent, for Department of Housing and Buildings, Borough of Queens, filed April 8, 1940, an appeal for revocation of Certificate of Occupancy No. 4923A and Permit No. N. B. 3110-37; premises 24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens; and

WHEREAS, the premises consist of a plot 25 ft. by 100 ft. in area; located in a residence use D area district; there has been erected on the plot a two-story building, 24 ft. 10½ in. in height and 19 ft. by 11¼ in. by 63 ft. in area; of Class 3 construction; occupied as follows: cellar, storage; first story, dwelling, one family; second story, dwelling, two families; and

WHEREAS, it is contended by the borough superintendent of buildings that this appeal for revocation is predicated on sections 666 and 668 of the New York City Charter; that it is sought to revoke Certificate of Occupancy No. 4923A and New Building Permit No. 3110-37; that New Building Application No. 3110-37 specifies the soil "to be fine, dry sand," and an examination by the Department of Housing and Buildings discloses that the earth below the footings appear to be top soil or loam, which is not approved material upon which to found such a building; that the foundation of the building in question is 2 ft. higher than the footings of the adjoining building, and that tie wires, interspaced in the foundation wall of the adjoining buildings, have evidently been used to tie in the wires which held the forms used in pouring the foundation for the building in question; that in view of these facts, the certificate of occupancy and permit to build should be revoked; and

WHEREAS, this appeal was the subject of a report by a committee of the Board, which report reads:

REPORT OF COMMITTEE.

November 15, 1940.

Re: Cal. No. 354-40-A.

24-46 24th street, west side, 175 ft. north of Hoyt avenue (Block No. 873, Lot No. 59), Long Island City, Borough of Queens.

This is an appeal filed by the Department of Housing and Buildings for the consideration of the Board as to the correctness of the issuance of Certificate of Occupancy No. 4923.

The premises in question consist of two-story multiple dwelling, 20 ft. by 63 ft., arranged for three families, erected on a plot 25 ft. by 100 ft. The plans were approved under New Building Application 3110 of 1937 on July 30, 1937. The building was reported as completed in January, 1938. On January 17 a temporary certificate of occupancy, No. 4891, was issued, followed by a permanent certificate of occupancy, No. 4923, on January 21, 1938. This certificate was issued to "owner". The application gave the owner as "Astoria River-View Homes, Incorporated, Constance Azzarone, president." At the time this building was constructed, a similar building was erected by the same owner on the adjoining lot to south under New Building Application No. 3109 of 1937, for which a permanent certificate of occupancy, No. 4922, was issued on January 21, 1938.

The record shows that as to the building in question at 24-46 24th street, a contract of sale was entered into on August 5, 1938, and title was passed on September 13, 1938, from Astoria River-View Homes, Incorporated, to Paul and Juliet Toth, 189 Greenwich street, New York City, upon payment of \$5,000 cash and the balance in the form of a mortgage in the sum of \$5,300 held by the Astoria Federal Savings and Loan Association. An affidavit of Paul Toth and Juliet Toth was presented at a hearing before the Board, setting forth the above facts

and stating that a search by the Title Guarantee and Trust Company prior to closing of title indicated that there were no pending violations, but that during construction complaints had been lodged with the Department by Frank Catalano against the builder and that a lis pendens was filed by him on January 17, 1938, which was later cancelled and that subsequently an action for damages was commenced in the Supreme Court which, after the records of the Department were introduced in evidence at the trial, was dismissed on the merits. The affidavit further states that, after numerous inspections by the Department, it was determined that there was no evidence of settlement or soil overload and that the premises were in a safe condition, and, further, that were the Board to revoke the certificate of occupancy, the new owners' investment would be destroyed and that they had invested their savings in good faith relying upon the certificate of occupancy.

The complaint of Frank Catalano, owner of the adjoining building at 24-44 24th street, appears to be that his building has been damaged by the construction of the building in question at 24-46 24th street and that cracks which are claimed are due to settlement have appeared in his wall adjoining.

Specifically, Mr. Catalano claims:

1. That the adjoining wall was constructed on filled ground.
2. That the adjoining wall does not extend down to the level of his but is some 2 ft. higher and is contrary to law.
3. That the adjoining wall encroaches on his lot for a distance of 2 in.
4. That the new wall is bonded to his wall due to the form wires used in his wall being connected to the wires holding the forms of the new wall.

The committee of the Board has examined all the available records as to construction and inspection of the building in question and the mass of correspondence in the Department files and in the files of the Mayor's office. Knowing nothing of the matter until it was presented to the Board in the form of an application to review the correctness of the issuance of the certificate of occupancy, the complaints have been considered with no preconceived impression as to their merits but solely to ascertain the true facts and deal justly with both owners involved.

To this end, applications for buildings in the area have been examined, including the group of buildings of which Mr. Catalano's house is one, constructed in 1926, for the purpose of ascertaining whether there is any evidence of the area being one of filled ground. These applications vary as to the statements of the ground condition from "fine sand" to "sand" to "sand and gravel" and to "sand and clay". As to the building in question, it was stated that the ground was "fine, dry sand". The statement as to Mr. Catalano's house is that the ground is "sand and clay". There is no indication in any of these that the area is one of filled ground.

The committee of the Board which inspected both houses from cellar to roof was shown the hole in the Catalano foundation which Mr. Catalano had cut for the purpose of exposing the depth of the adjacent wall and the soil conditions. It is quite possible that at the time the walls of Mr. Catalano's house were constructed in 1926, the necessary excavation for his walls required digging below the then natural grade of the adjoining lot and that after completion this trench was back filled, which would be the natural assumption and which would account for the impression that the soil was filled ground. It must be borne in mind, however, that an interval of over ten years had elapsed between the construction of the two walls which should have permitted natural compacting of the earth.

MINUTES

The base of the wall of the building at 24-46 is shown on the plans as approximately 2 ft. higher than the Catalano wall. It might be readily argued that the new wall could well have been taken down to the depth of the adjacent wall. There was no specific Code requirement for this and it is readily understandable that there could be none, otherwise on a street with a grade the foundations of a row of houses would progressively be deeper and deeper. For the relatively light load of the house in question, the wall as constructed, even if not carried to the depth of the adjoining wall, should provide ample bearing.

A survey furnished by the present owner of 24-46, prepared by Robert E. Carlin, City Surveyor, Long Island City, shows the northerly building wall of No. 24-46 and shows this wall clear of the lot line for its full length .03 in. and encroaching at no point on the adjoining lot. There can be no question that the wall abuts the adjoining wall which was undoubtedly used as a form for that side of the new wall. This is usual and desirable. If wood forms were used on both sides of the new wall, the inside boards could not have been removed and would have been left to rot, to the disadvantage of both owners, providing a space for dampness.

It would not be unusual for a builder to connect his form wires in constructing an adjoining wall to the new form wires if available in an existing wall. This is apparently what happened here and it is said that parts of the existing wall were chipped away presumably to make the wire splices. The committee can find no evidence that this was done, but would see no harm if it was. The poured concrete of the new wall would undoubtedly flow into the crevices of the old wall but no true bond could thereby be formed. If there were settlement such fillings would shear.

The committee has studied the very complete report addressed to Commissioner Wilson by Borough Superintendent Cambell, dated January 2, 1940. It records the complaints registered by Mr. Catalano, beginning with the one filed with the Department on April 2, 1938, two months or more after the issuance of the certificate of occupancy. This report is eminently fair and records the efforts made to have the builders of the new house make such reasonable repairs as Mr. Catalano might request. The builder is recorded as apparently being willing to do anything within reason, at the same time disclaiming any liability, but it was found that nothing short of removing the building so there would be no encroachment or physical contact would be satisfactory.

The committee of the Board, consisting of Chairman Murdock and Commissioners Savage and Blum, have inspected the premises on two occasions since the hearing. At one, the walls were examined carefully from cellar to roof. The hair cracks in the wall were pointed out. The roof was examined. There is nothing to indicate that the cracks are due to settlement either of the Catalano wall or because of the contact of the new wall. The committee would characterize the cracks as usual shrinkage cracks and certainly not of a type which in any way lessens the carrying capacity of the wall. If there were settlement, cracks would show in the new wall which do not appear present, and would show particularly in the front and rear walls of the Catalano house if there were unequal settlement of the side walls of the Catalano house. The usual evidence of unequal settlement is the breaking of masonry joints of the front and rear walls particularly at window or door openings. There is no such evidence. If the new wall were erected on filled ground, it would be equally true that the older wall was also erected on filled ground. The committee does not, however, believe this to be the case as to either wall.

If the committee could find any tangible basis for setting aside the certificate of occupancy, it would not

hesitate to do so if by so doing it could bring about a correction of an injustice. It must, however, also consider the status of the present owners of the building in question who have through no fault of their own been threatened with the revocation of a certificate of occupancy on which they confidently relied before investing their savings. While the committee would not hesitate to recommend revocation of the certificate of occupancy if just ground could be found, the Board must give consideration to the law as established by the Court of Appeals in *Edwards vs. Murdock* as to the intent of section 301 of the Multiple Dwelling Law. While no certificate of compliance was issued in accordance with that section, the certificate of occupancy as in the *Edwards* case can be viewed as the equivalent on which a new owner may confidently rely.

Having made an exhaustive study of this problem with a purpose to recommend only a fair and proper action for the Board to take, the committee cannot find that the appeal should be granted to revoke the certificate of occupancy.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended that the appeal should not be granted.

Resolved, that the appeal of the borough superintendent to revoke the certificate of occupancy be and it hereby is denied.

994-40-A.

APPLICANT—Lama and Proskauer, for Empire State Varnish Company, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 13, 14, 15 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Merrit T. Metz and Michael Doniger.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(994-40-A)

WHEREAS, Lama and Proskauer, for Empire State Varnish Company, owner, filed October 11, 1940, an appeal from decisions of the borough superintendent of buildings; premises 34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2221-40, dated September 30, 1940, reads:

"1. This is a frame building, not a shed. A frame building is contrary to Sect. 4.1.2 of the Building Code.
2. The storage of inflammable mixtures in a frame building is contrary to Art. 9-C19-59.0 of the Administrative Code."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2222-40, dated September 30, 1940, reads:

MINUTES

"1. An all metal structure when used for the manufacturing or storage of inflammable nature should be located at least 15 ft. from the nearest lot line as required by Sect. 4.2.1 (f) of the Building Code.

2. This building is structurally weak and does not comply with the requirements of the Building Code as to stress."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2223-40, dated September 30, 1940, reads:

"1. The storage of oil in a frame structure is contrary to the Administrative Code Sec. C19-130 (4).

2. Structure is structurally weak and does not comply with the Building Code as to construction."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2224-40, dated September 30, 1940, reads:

"1. A frame building is contrary to the Building Code—Sect. 4.1.2.

2. The structure is structurally weak and does not comply with the Building Code as to construction.

3. The storage of inflammable mixtures in a frame building is contrary to the Administrative Code. Art. 9-C-19-59.0."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2225-40, dated September 30, 1940, reads:

"1. A frame building is contrary to the Building Code, Sec. 4.1.2.

2. The storage of inflammable mixtures in a frame building is contrary to the Administrative Code. Art. A-C-19-59.0."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2226-40, dated September 30, 1940, reads:

"1. A frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code.

2. The storage of inflammable mixture is contrary to the Adm. Code, Art. 9-C-19-59.0, when within a frame building."

and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2227-40, dated September 30, 1940, reads:

"1. A frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code.

The storage of an inflammable mixture in a frame building is contrary to the Adm. Code, Art. 9-C-19-59.0."

and

WHEREAS, the premises consist of a plot 110 ft. by 75 ft., irregular, in area; located in an unrestricted use district; which has been in use since 1932 for the manufacture of varnish; and

WHEREAS, the applicant contends that the plant consists of several one-story frame and metal sheds of makeshift affairs which are used for storage, mixing and shipping; that the cooking is done in a fireproof kettle house; that the plant is equipped with fire-fighting apparatus approved by the Fire Department; that at the present time the company is manufacturing to meet orders of the national defense program; that this is the manufacture of insulating varnish for cables used in automotive and aviation equipment; that they are also manufacturing special coating for waterproof garments used by the armed forces of the United States; that the owners are ready to install any additional

fire-fighting equipment that the Board may deem necessary; that the buildings which are weak in construction will be made safe; that, therefore, in view of the foregoing facts, it is respectfully requested that the appeal be granted.

Resolved, that the decisions of the borough superintendent of buildings on Alteration Application Nos. 2221 to 2227-40, inclusive, Objection Nos. 1 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the occupancy of the existing buildings for a term of one (1) year from the date of this resolution, *on condition* that the buildings shall not be increased in height or area; that the corrugated iron fence shall be maintained around the premises; that such portions of the buildings as are deemed structurally weak by the borough superintendent of buildings shall be made safe to his satisfaction; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct.

1067-40-A.

APPLICANT—Sol. A. Herzog, for Select Photo Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1067-40-A)

WHEREAS, Sol. A. Herzog, for Select Photo Company, Incorporated, owner, filed November 6, 1940, an appeal from an order and a decision of the fire commissioner; premises 1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan; and

WHEREAS, at the public hearing there was no appearance made on behalf of the applicant although due notice of hearing had been made.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

1101-40-A.

APPLICANT—Brown Linseed Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2581 Richmond Terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: James F. McMullen and Francis Brown.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

MINUTES

THE RESOLUTION—

(1101-40-A)

WHEREAS, Brown Linseed Corporation, owner, filed November 18, 1940, an appeal from an order and a decision of the fire commissioner; premises 2581 Richmond Terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, Order No. 21189-LC, dated March 1, 1940, reads:

"8. Discontinue the use of auxiliary tanks in excess of 60 gallons."

and
WHEREAS, said order was repeated in a decision of the fire commissioner dated November 15, 1940; and

WHEREAS, the building is one story (30 ft.) in height, 46 ft. by 103 ft. in area; located in an unrestricted use district; occupied as a power house in connection with an industrial plant existing on the premises used for the manufacture of linseed oil; and

WHEREAS, the applicant contends that the installation consists of a main fuel oil tank and two auxiliary tanks, one of 110 gallons and one of 275 gallons capacity, designed to operate the engines for a period of four hours without refilling; that these tanks are filled by fuel oil transfer pumps from the main storage tank and are provided with an overflow connection and return line to the main storage tank; that the auxiliary tanks are vented in accordance with the Oil Burner Rules; that the engines are fed from the auxiliary tanks by gravity to the service pumps located on the Diesel engines; that these gravity lines are equipped with a Dowie non-syphon valve which automatically stops the flow of oil in the event that the gravity line should fail; that the Diesel engines consist of one 340 kilowatt supplied by an auxiliary tank of 110 gallons, one 200 kilowatt and one 250 kilowatt supplied by a single 275-gallon auxiliary tank; that the capacity of these tanks is necessary for the efficient and uninterrupted operation of the Diesel engines; that auxiliary tanks of sixty gallons capacity in compliance with the requirements of the Oil Burner Rules would not permit the satisfactory operation and would necessitate stationing a man in constant attendance at the auxiliary tanks in order to avoid the ever-present possibility of depletion of the fuel oil supply; that the installation is in charge of licensed engineers in constant attendance; that a constant supply of steam is maintained to drive the steam-operated fire pumps; that three hand-operated fire extinguishers are located at accessible points.

Resolved, that the order of the fire commissioner, Order No. 21189-LC, Item No. 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed tanks, one of 110 gallons capacity and one of 275 gallons, shall comply in all respects with the requirements of the Oil Burner Rules of the Board of Standards and Appeals; that the tank shall be not less than 10 gauge in thickness; that in all other respects the oil burning equipment and tanks shall comply with the Oil Burner Rules of the Board.

928-21-A.

APPLICANT—Amalgamated Warehouses, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—99-109 Jane street, north side, 100-108 Horatio street, south side, 70 ft. west of Washington street (Block No. 642, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: James A. Vaughan.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(928-21-A)

WHEREAS, this appeal from a decision of the fire commissioner, affecting premises 99-109 Jane street, north side, and 100-108 Horatio street south side, 70 ft. west of Washington street (Block No. 642, Lot No. 14), Borough of Manhattan, was granted by the Board October 20, 1921, on certain conditions, the resolution amended February 14, 1940; and

WHEREAS, the owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 20, 1921, as amended February 14, 1940, so that as amended the resolution shall read:

"*Resolved*, that the decision of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that a 2½ in. standpipe line be installed and that the area of the pent house be not increased.

Resolved further, that in the event the building is not increased in height or area and there is a transverse wall built continuously across the building from floor to ceiling so as to separate the building into two substantially equal portions and there are no openings in such wall, the requirements of this resolution may still be considered to hold, provided such transverse wall is constructed of approved masonry and not less than 6 in. in thickness; that the existing standpipe equipment may be removed, provided the occupancy of the building is deemed non-hazardous by the fire commissioner and such fire-fighting appliances are installed in each portion of the building as the fire commissioner shall direct, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

VARIATIONS OF THE LABOR LAW.

496-19-S.

APPLICANT—John B. Snook's Sons-Victor C. Farrar, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation from the requirements of the Labor Law as cited in an order of the fire commissioner.

PREMISES AFFECTED—72-78 Spring street, southeast corner of Crosby street (Block No. 482, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert C. Bowman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(496-19-S)

WHEREAS, this application for a variation from the requirements of the Labor Law as cited in an order of the fire commissioner, premises 72-78 Spring street, southeast corner of Crosby street (Block No. 482, Lot No. 16), Borough of Manhattan, was granted by the Board July 22, 1919, on certain conditions; and

MINUTES

WHEREAS, John B. Snook's Sons-Victor C. Farrar, for Metropolitan Life Insurance Company, owner, requested amendment of the resolution as to occupancy per floor.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on July 22, 1919, by adding thereto:

"that the occupancy per floor may be permitted as calculated under the requirements of the Labor Law with due allowance for the sprinkler system, and that in all respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as herein permitted and as varied under Cal. No. 785-20-S."

785-20-S.

APPLICANT—John B. Snook's Sons-Victor C. Farrar, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation from the requirements of the Labor Law as cited in an order of the fire commissioner.

PREMISES AFFECTED—72-78 Spring street, southeast corner of Crosby street (Block No. 482, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert C. Bowman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(785-20-S)

WHEREAS, this application for a variation from the requirements of the Labor Law as cited in an order of the fire commissioner, premises 72-78 Spring street, southeast corner of Crosby street (Block No. 482, Lot No. 16), Borough of Manhattan, was granted by the Board January 11, 1921, on certain conditions; and

WHEREAS, John B. Snook's Sons-Victor C. Farrar, for Metropolitan Life Insurance Company, owner, requested amendment of the resolution as to occupancy per floor.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on January 11, 1921, by adding thereto:

"that the occupancy per floor may be permitted as calculated under the requirements of the Labor Law with due allowance for the sprinkler system, and that in all respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as herein permitted and as varied under Cal. No. 496-19-S."

MATERIALS SUBMITTED FOR APPROVAL.

242-39-SM.

APPLICANT—Penn Metal Company, Incorporated, owner.

SUBJECT—Penn Metal Company Metal Lath and Lathing Accessories, approval of.

APPEARANCES—

For Applicant: Eugene G. Fusaro.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(242-39-SM)

WHEREAS, Penn Metal Company, Incorporated, owner, filed February 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Penn Metal Company Metal Lath and Lathing Accessories; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1940.

Re: Cal. No. 242-39-SM.

Subject: Penn Metal Company Lath and Lathing Accessories, approval of.

Penn Metal Company, Incorporated, of Boston, Mass., filed February 27, 1939, an application with the Board of Standards and Appeals for approval of materials (hereinafter referred to) under the pertinent provisions of the Administrative Building Code.

These materials are manufactured at the applicant's plant in Parkersburg, W. Va. Expanded metal lath (trade name Meshtex) products are produced on a rotary type lath machine in which steel strips of such gauge as is necessitated by the required weight of the finished material are fed into a pair of rotary slitters which cut small slits longitudinally through the strip. The slitted strips are next engaged by chains which expand the strips. This expanding process widens the original strip and pulls in its length and the result is a full length sheet of uniform diamond-shaped openings.

After being trimmed, the sheet passes through a pair of painting rolls and is soaked in black asphaltum paint, oven heated to a temperature of 200 degrees Fahrenheit for ten to twelve minutes and then bundled into bundles of ten sheets totaling 20 square yards. The same general methods are pursued in manufacturing the other types of lath hereinafter referred to, with variations for each particular type.

Samples of metal lath were selected from stock in the Bronx warehouse of the company, measured and weighted by John F. Fitzsimons of the Engineering Division of the Board and the results are as set forth herein.

Material	Weight p.s.y.	Gauge
Expanded Metal Diamond Mesh		
2.5 Meshtex (painted)	2.44	26
3.0 Meshtex (painted)	2.83	25
3.4 Meshtex (painted)	3.14	24
3.4 Meshtex (painted) (self-furring)	3.21	24
3.4 Meshtex (galvanized)	3.27	24
Flat Rib 1/8 Inch Deep		
2.75 Durabond (painted)	2.7	28
3.00 Durabond (painted)	2.86	28
3.4 Durabond (painted)	3.24	26
3.6 Durabond (galvanized)	3.56	25
3/8 Inch Metal Lath		
3.0 Masterib (painted)	3.0	25
3.4 Masterib (painted)	3.23	25
4.0 Masterib (galvanized)	3.84	24
3.6 Masterib (galvanized)	3.55	25
Corner Bead		
Standard Wing (galvanized)	6.84	26
2 1/2 Inch Flange (galvanized) ..	6.20	26
Bull Nose (galvanized)	7.20	26
Scalloped Edge (galvanized)	5.68	26
Standard Expansion (galvanized)	3.50	26
Rail Corner Bead (galvanized) non-perforated	157 per ft.	23

MINUTES

Floor Runner (galvanized)		
No. 125	.183 per ft.	20
Ceiling Runner (galvanized)		
No. 150	.15	20
Corner Bead Clips (galvanized) ..	—	24
Rail Corner Bead Clips		
(galvanized)	—	23
Wall Ties (galvanized)	—	25

Recommendations

On the basis of the foregoing data, the Committee recommends the approval of Penn Metal Company Metal Lath and Lathing Accessories, as follows:

Lath weighing less than three pounds per square yard be approved for use as a substitute for combustible lath under C26-458.0 (8.4.10.2). Such lath, however, shall weigh not less than two and one-half pounds per square yard.

Lath weighing three pounds per square yard or over be approved for use as metal lath under C26-459.0 (8.4.10.3) and C26-460.0 (8.4.10.4) when installed in accordance with the requirements therefor.

All accessories listed herein be approved when installed under the requirements of the Administrative Building Code under C26-191.0 (2.2.3) and C26-178.0 (2.12.5).

It is further recommended that the use of these materials be limited to the specific uses permitted for each type of lath and that it be applied as provided for in the pertinent provisions of the Administrative Building Code. In cases where no specific requirements exist, the material may be installed in accordance with the manufacturer's specifications.

It is also recommended that the materials shall be manufactured and applied as provided for herein, except that lath weight shall be permitted a tolerance of 5 per cent.

Each bundle or container shall be labeled or stamped reading as follows: "Approved by the Board of Standards and Appeals for Use in New York City Under Cal. No. 242-39-SM." Where the lath weight is less than three pounds per square yard such lath shall bear additional wording reading as follows: "This metal lath may only be used where combustible lath is permitted." It is not intended, however, that the prohibitions of C26-458.0 a.b (8.4.10.2) a.b apply to lath weighing less than three pounds per square yard as herein recommended for approval. The installation of such lath, however, shall comply with all the requirements of the Code for metal lath as provided in C26-459.0 (8.4.10.3).

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Penn Metal Company Metal Lath and Lathing Accessories, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

24-39-SM.

APPLICANT—Sloan Valve Company, owner.

SUBJECT—Application reopened September 17, 1940—re amendment of resolution—re Sloan V-100-A Vacuum Breaker.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy

Negative

THE RESOLUTION—

(1224-39-SM)

WHEREAS, Sloan Valve Company, owner, filed October 6, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Sloan V-100-A Vacuum Breaker; and

WHEREAS, this material was approved by vote of the Board October 6, 1939, in accordance with the report of the Committee on Tests; and

WHEREAS, the owner requested amendment of the resolution so as to include approval of improved models; and

WHEREAS, this application was reopened by vote of the Board September 17, 1940, and referred to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1940.

Re: Cal. No. 1224-39-SM.

Subject: Sloan V-100-A Vacuum Breaker, approval of.

The Sloan Valve Company filed October 6, 1939, an application with the Board of Standards and Appeals for approval of the Sloan V-100-A Vacuum Breaker under the provisions of C26-1277.0 (14.8.2.8), Administrative Building Code.

This vacuum breaker was approved by the Board November 8, 1939, and applicant requested a reopening of the application and an amendment of the resolution to include improved and modified models. The application was reopened by vote of the Board September 17, 1940, and referred to the Committee on Tests for test and report.

This improved vacuum breaker was tested at the vacuum test bench of the Department of Water Supply, Gas and Electricity on October 30, 1940, in the presence of Messrs. J. A. Edwards and P. C. Platt, representing the Sloan Company, Commissioner Bernard A. Savage and Engineer J. F. Fitzsimons of the Board of Standards and Appeals and Chief Inspector O. J. Burke of the Department of Water Supply, Gas and Electricity.

Both the improved and the modified units employ the same mechanical principle as the original V-100 tested on October 13, 1939, under the same Board of Standards and Appeals calendar number except that the waterway through the check valve orifice is streamlined and the diameter of the check valve opening is reduced from 1 in. to 7/8 in. Both the improved and the modified units employ the identical vacuum breaking member, the units varying, in that the improved unit has a curved outer casing and the modified has a straight line outer casing. The manufacturer's advise that the curved line casing model was being discontinued and that the straight line model would be continued in manufacture.

Both of the units successfully withstood 26 in. Hg. vacuum and also an endurance test of five minutes under 23 in. Hg. vacuum. Both units also permitted satisfactory flushing of the water closet bowl under a residual head of ten pounds pressure.

The above tests indicate that the Sloan V-100-A Vacuum Breaker, both in the improved and modified models, meet the requirements of section 14.8.2.8 of the Building Code.

On the basis of this test and report, it is recommended that the resolution adopted by the Board No-

MINUTES

venember 8, 1939, be amended to include approval of the Sloan V-100-A as improved under the conditions originally set forth in the report of the Committee on Tests dated November 6, 1939.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution so as to include approval of the improved models.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 8, 1939, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the material known as the Sloan V-100-A Vacuum Breaker, as improved, *on condition* that the material be manufactured, installed, operated and labeled, stamped or tagged in accordance with above report."

837-40-SM.

APPLICANT—The Indiana Brass Company, owner.

SUBJECT—Indiana Brass Company Anti-Syphon Float Valve No. 88, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy

Negative 0

THE RESOLUTION—

(837-40-SM)

WHEREAS, Indiana Brass Company, owner, filed August 2, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Indiana Brass Company Anti-Syphon Float Valve No. 88; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1940.

Re: Cal. No. 837-40-SM.

Subject: Indiana Brass Company Anti-Syphon Float
Valve No. 88, approval of.

The Indiana Brass Company, owner, filed August 2, 1940, an application with the Board of Standards and Appeals for approval of the Indiana Brass Company Anti-Syphon Float Valve No. 88, under the provisions of C26-1272.0 (14.8.2.8), Administrative Building Code.

The anti-syphon valve was inspected and tested at the vacuum test bench of the Department of Water Supply, Gas and Electricity on October 30, 1940, in the presence of Engineer J. F. Fitzsimons of the Board of Standards and Appeals, Chief Inspector O. J. Burke of the Department of Water Supply, Gas and Electricity, and Mr. G. E. Crawford, representing the manufacturer.

The mechanical principle of the unit is that the outlet of the ball cock is located more than ½ in. above the overflow pipe of the flush tank, and the outlet instead of being equipped with a hush valve, utilizes a rod protruding from the center of the outlet opening. In the opening itself is set a series of copper deflection plates which direct the flow against the rod, causing the water to fall in a solid body and minimizing the noise occasioned by this flow.

The Committee on Tests recommended the approval of the Indiana Brass Company Anti-Syphon Float Valve No. 88 for use in New York City when installed in accordance with this report, on condition that each duct shall have a label reading:

Within a circle on the periphery at the top, the word "App'vd," at the bottom "B. S. & A.," in the middle "N. Y. C." and "837-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Indiana Brass Company Anti-Syphon Float Valve No. 88, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.
- 4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.
- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

RULES

- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- No combustible material shall be stored or maintained within 15 feet of any spray booth.
- All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPROVED APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Name	Calendar No.	Name	Calendar No.
Automatic Paint Sprayer	477-37-SA	Milburn Spray Painting Equipment	492-38-SA
Binks Circulating System for Paint Spraying	851-39-SA	Paasche Spray Painting Equipment.....	363-32-SA
Binks-Hu-Ro-Thor-Hurley Spray Equipment.....	338-32-SA	Sharpe Spray Guns, Models B-21, C-21, RA-21,	
De Vilbiss Spray-Painting Equipment.....	336-32-SA	RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,	
Eclipse Spray Painting Equipment.....	151-38-SA	L, M-2, M-4, FA-36 and FC-36.....	604-38-SA
Eureka Paint Sprayer.....	478-37-SA	Spraco Spray Painting Equipment.....	479-32-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.	Name	Calendar No.
Alro	720-38-SA	Preferred	213-35-SA
Fee and Mason	10-36-SA	Rhode Island	204-35-SA
Flagg	345-35-SA	Seal-O-Strain	48-35-SA
J. H. N.	202-35-SA	Sealtite	231-35-SA
Mallory Fill Pipe Terminal	990-39-SM	Simplex	214-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA	Weco	78-38-SA
Newbury	223-35-SA		

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting December 3, 1940, at 10 A.M., Affecting Calendar Numbers 97-37-BZ, 94-38-BZ, 253-40-BZ, 402-40-BZ, 583-40-BZ, 285-36-BZ, 489-38-BZ, 375-40-BZ, 512-40-BZ, 879-40-BZ, 951-40-BZ, 1028-40-BZ, 1019-40-A and 1029-40-A.

Minutes of Regular Meeting December 3, 1940, at 2 P.M., Affecting Calendar Numbers 555-40-BZ, 675-40-BZ, 330-22-BZ, 168-29-BZ, 475-31-BZ, 763-38-BZ, 68-36-BZ, 170-36-BZ, 262-37-BZ, 454-37-BZ, 608-37-BZ, 1197-38-BZ, 821-40-A, 602-40-A, 1127-40-A, 969-40-A, 992-40-A, 1099-40-A, 1122-40-A, 216-34-A, 295-29-SA, 903-40-SA, 948-40-SA, 1044-40-SA, 749-38-SM, 1539-39-SM, 877-40-SM and 1114-40-SM.

Corrections Affecting Calendar Numbers 552-37-A and 985-40-SM.

Rules for the Testing and Use of Blended Cements.

Rules for Tests of Fire-resistive, Flameproofed Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Rules for Inspection of Opening Protective Assemblies.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to December 3, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>	
1123-40-BZ—	H.B.Q.....	168-05 Depot road, northeast corner of 168th street (Block No. 5295, Lot No. 24), Flushing, Borough of Queens, Misc. Applic. 10209-40.	No. 30), Borough of The Bronx, Alt. 911-40.
1124-40-SA.....	Gas-Vac	Winter Air-Conditioner, Appliance.	
1125-40-BZ....	H.B.Q.....	43-02 to 43-10 Queens boulevard and 45-01 43rd street, south-east corner (Block No. 168, Lot No. 26), Long Island City, Borough of Queens, N.B. 7214-40.	1132-40-A.....F.D.....22-42 Warren street, south side, 407 ft. 9 in. west of Columbia street (Block No. 303, part of Lot No. 1), Borough of Brooklyn, 85315-L.C.
1126-40-A.....	H.B.B.....	568 Atlantic avenue (570 displayed), south side, 97 ft. 10 in. west of Fourth avenue (Block No. 186, Lot No. 34), Borough of Brooklyn, Amendment to Roof Sign Applic. 6307-39.	1133-40-A.....H.B.Q.....64-41 Wetherole street, north side, 65 ft. east of 64th road (Block No. 3097, Lot No. 64), Rego Park, Borough of Queens, Alt. 2765-40.
1127-40-A.....	H.B.Bx....	80-88 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and 1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx, N.B. 885-39.	1134-40-SM.....Nailock Steel Channels and Screwlock Backing for Acoustical Tile (Suspended Ceiling System), manufactured by Atlas Supply Company, Material.
1128-40-A.....	H.B.B.....	534-538 Eastern parkway and 834-848 Nostrand avenue, southwest corner (Block No. 1268, part of Lot No. 38), Borough of Brooklyn, Alt. 5345-40.	1135-40-BZ....H.B.Q.....78-02 82nd street, southwest corner of 78th avenue (Block No. 3832, Lot No. 49), Glendale, Borough of Queens, N.B. 6198-40.
1129-40-BZ....	H.B.Bx....	2750 Webster avenue, east side, 1,051 ft. south of Bedford Park boulevard (Block No. 3273, part of Lot No. 101), Borough of The Bronx, Decision—re Certificate of Occupancy.	1136-40-A.....H.B.Q.....85-27 61st road, northeast corner of 85th street (Block No. 2948, Lot No. 12), Rego Park, Borough of Queens, Alt. 688-40.
1130-40-A.....	H.B.M....	144 Avenue C and 701 East 9th street, northeast corner (Block No. 379, Lot No. 1), Borough of Manhattan, Decision—re B.N. 3050-39 and Viol. 4042-39.	1137-40-SA.....Silent Glow and Mid-West (Heavy Oil) Oil Burners, Models 211H, 311H and 114H and Caloroil (Heavy Oil) Oil Burner, Models HR-4H, HR-5H and HR-6H, Appliance.
1131-40-BZ....	H.B.Bx....	2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot	1138-40-A.....F.D.....30-36 Crosby street, west side, 100.9 ft. north of Grand street (Block No. 473, Lot No. 21), Borough of Manhattan, 7493-L.F. and Decision.
			1139-40-BZ....H.B.M....50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan, N.B. 48-40.
			1140-40-BZ....H.B.Bx....1050-1098 River avenue, east side, from East 165th street to McClellan street, 61-69 East 165th street and 40-48 McClellan street (Block No. 2487, Lot No. 1), Borough of

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The Bronx,
Decision—re Certificate of
Occupancy.

1141-40-A.....H.B.M....408-412 West 13th street, south
side, 124.2 ft. west of Ninth
avenue (Block No. 645, Lot
Nos. 35, 36 and 37, inclusive),
Borough of Manhattan,
N.B. 195-40.

Restored to Calendar.

475-31-BZ....H.B.B....76-78 East 28th street, west side,
153 ft. 9¾ in. south of Alber-
marle road (Block No. 5129,
Lot Nos. 15 and 16), Borough
of Brooklyn, Alt. 4079-40.

330-22-BZ....H.B.B....1663-1669 East 17th street, east
side, 57 ft. 2½ in. south of
Kings highway (Block No.
6780, Lot No. 55), Borough
of Brooklyn, Alt. 3935-40.

602-40-A.....H.B.B....1663-1669 East 17th street, east
side, 57 ft. 2½ in. south of
Kings highway (Block No.
6780, Lot No. 55), Borough
of Brooklyn, Alt. 3935-40.

749-38-SM.....Zenitherm (Floor and Wall Cover-
ing), manufactured by Zeni-
therm Products, Incorporated,
Material.

1539-39-SM.....Kramer Vacuum Breaker, manu-
factured by MacDonald Hard-
ware Manufacturing Company,
Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department.

RULES

Last Publication in Bulletin

Blended Cements, Rules for Testing
and Use of.....Dec. 10, 1940—Vol. 25, No. 50
Carbon Dioxide Liquefier Rules.....Oct. 8, 1940—Vol. 25, No. 41
Certificates of Occupancy, approved
formAug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for
Manufacture, Testing and Use
ofAug. 27, 1940—Vol. 25, No. 35
Concrete Rules (Hydrated Lime).....Aug. 3, 1937—Vol. 22, No. 31
Elevator RulesMar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June 15, 1937—Vol. 22, No. 24
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Fire-resistive, Flameproof Materials,
etc., Rules for Testing of.....Dec. 10, 1940—Vol. 25, No. 50
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Fireproof Wood, Testing of.....Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan. 21, 1919—Vol. 4, No. 3
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RulesAug. 20, 1940—Vol. 25, No. 34
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ing RulesDec. 3, 1940—Vol. 25, No. 49
Platform Trucks, Specifications for.....Nov. 24, 1936—Vol. 21, No. 47
Plumbing RulesAug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con-
tamination of Water Supply).....Sept. 10, 1940—Vol. 25, No. 37
Procedure, Rules ofSept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C. Oct. 8, 1940—Vol. 25, No. 41
Smoking in Factories, Rules for.....Oct. 8, 1940—Vol. 25, No. 41
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Standpipe Fireline Rules.....June 8, 1937—Vol. 22, No. 23
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Tank Trucks, Fuel Oil, etc.....Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to
Rule 505 of Industrial Code).....Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon ValvesMar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Mar. 5, 1935—Vol. 20, No. 10
Fuel Oil Burners for Domestic and
Commercial UseSept. 3, 1940—Vol. 25, No. 36
Fuel Oil Pipe TerminalsDec. 3, 1940—Vol. 25, No. 49
Fuel Oil Burners for Industrial Use.....Sept. 3, 1940—Vol. 25, No. 36
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ing EquipmentDec. 3, 1940—Vol. 25, No. 49
Range Oil Burners and Space
HeatersSept. 3, 1940—Vol. 25, No. 36
Vacuum BreakersSept. 10, 1940—Vol. 25, No. 37

DECEMBER 10, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, December*
10, 1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 260-40-BZ—Application, March 5, 1940, under sec-
tion 7i of the building zone resolution,
of Paul Carchiolo and Nils Jensen,
applicants and lessees, on behalf of
Sadie Rosen, owner, to permit on the
business portion of a plot, located partly
in a business use district and partly in
a residence use district, the conversion
of occupancy of an existing building to
a motor vehicle repair shop; premises
5501-5513 18th avenue, southeast cor-
ner of 55th street (Block No. 5494, Lot
No. 29), Borough of Brooklyn.

CAL. NO. 521-40-BZ—Application, May 15, 1940, under sec-
tion 21 of the building zone resolution,
of Abraham Saul, applicant and owner,
to permit in a residence use district and,
also, "E" area district, the maintenance
of an extension at the rear of the second
story of an existing dwelling; said ex-
tension does not comply with "E" area
requirements; premises 1818 East 29th
street, west side, 126 ft. south of Ave-
nue R (Block No. 6834, Lot No. 10),
Borough of Brooklyn.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under sec-

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tion 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 1016-40-BZ—Application, October 23, 1940, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Kauffman Lewenthal Realty Company, owner, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store); premises 649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan.

CAL. NO. 278-40-BZ—Application of William R. Altman, applicant, on behalf of One Jumel Realty Corporation, owner, reopened November 8, 1939, under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) from garage use to a motor vehicle repair shop; premises 441 West 167th street and 1 Jumel place, northeast corner (Block No. 2112, Lot No. 58), Borough of Manhattan.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolu-

tion, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, reopened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

CAL. NO. 416-40-BZ—Application, April 22, 1940, under section 21 of the building zone resolution, of William Sambur, applicant, on behalf of Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

CAL. NO. 1321-39-BZ—Application, October 26, 1939, under sections 7h and 21 of the building zone resolution, of Anna Weschler, applicant and lessee, on behalf of Bernard Flood, owner, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47); Flushing, Borough of Queens.

CAL. NO. 402-40-BZ—Application, April 16, 1940, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Clifford E. Mills, owner, to permit in a residence use district and "F" area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction

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with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 10, 1940, 2 P. M.

Appeals from Administrative Decisions.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

078-40-A—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

49-40-A—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

42-40-A—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

21-40-A—436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

DECEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 17, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

no. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

no. 977-40-BZ—Application, October 8, 1940, under section 21 of the building zone resolution, of James A. Boyle, applicant, on behalf of William M. Calder Company, owner, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or show rooms located more than 25 ft. from the intersecting street; premises 3047

Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn.

CAL. NO. 865-40-BZ—Application, August 21, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 304-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of J. M. Berlinger, applicant, on behalf of F. W. Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (stores); premises 11-15 West 8th street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

CAL. NO. 1021-40-BZ—Application, October 24, 1940, under section 21 of the building zone resolution, of Leon J. Shapiro, applicant, on behalf of Robert Bass, owner, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more

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than 25 ft. from the corner of the street; premises 464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn.

1100-40-A—80-40 Cooper avenue, south side, 422 ft. east of 80th street (Block No. 3806, Lot No. 2) Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street).

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuh's Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

881-40-A—291-301 Metropolitan avenue, northwest corner of Roebling street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

DECEMBER 31, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 31, 1940, at 10 o'clock*, in Room 1013, Municipal Building Manhattan, on the following matters:

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 518-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution of Edward A. Schuman, applicant and owner (Forest Hills Cement Block Company, Incorporated, lessee), to permit in a business use district the use of premises for the manufacture of cement blocks; premises 117-30 Springfield boulevard, west side, 44.54 ft. north of 118th avenue (Block No. 3358, Lot No. 61), St. Albans, Borough of Queens.

CAL. NO. 97-37-BZ—Application of Theodore R. Feinberg, applicant, on behalf of Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee), reopened October 8, 1940, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 942-40-BZ—Application, September 27, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ratlan Realty Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the reconstruction and structural alterations of a building and, also, premises used as a public garage, motor vehicle repair shop, auto laundry, grease pits and gasoline service station; premises 1927-1943 Atlantic avenue and 17-31 Bancroft place, northeast corner (Block No. 1558, Lot Nos. 1 and 32), Borough of Brooklyn.

CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 990-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Charles M. Spindler, applicant, on behalf of H. D. Hammond Garage, Incorporated, owner, to permit on a premises located partly in a business use district and partly in an unrestricted use district, the extension of a gasoline service station; premises 6518-6524 Fort Hamilton parkway, 913-929 66th street, northwest corner, and 912-922 65th street (Block No. 5750, Lot Nos. 13 and 26), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

882-40-A—148 39th street southwest corner of Second avenue (Bush Building No. 19, fourth floor): (Block No. 706, Lot No. 1), Borough of Brooklyn.

CAL. NO. 807-40-BZ—Application, July 19, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Richard Stiegler, owner (Sarah Stern, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of

1004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

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more than five (5) motor vehicles; premises 1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot No. 1), Borough of The Bronx.

in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 31, 1940, 2 P. M.

Appeal from Administrative Decision.

1006-40-A—141-143 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street).

JANUARY 7, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 7, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 377-40-BZ—Application, April 11, 1940, under section 7g of the building zone resolution, of William P. Collins, applicant and lessee, on behalf of Long Island Railroad Company, owner, to permit in an unrestricted use district the parking of more than five (5) motor vehicles on a plot located on the same street and between the same two (2) intersecting streets with a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 10 to 19, inclusive), Long Island City, Borough of Queens.

CAL. NO. 983-40-BZ—Application, October 10, 1940, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Dime Savings Bank of Brooklyn, owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn.

CAL. NO. 828-40-BZ—Application, July 30, 1940, under section 7h of the building zone resolution, of Gaetano Tuzzolino, applicant and lessee, on behalf of Milton Hirschman, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of White Plains road and East 236th street (Block No. 5043, Lot No. 6), Borough of The Bronx.

CAL. NO. 604-40-BZ—Application, June 5, 1940, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Realty Corporation, owner, reopened October 15, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously denied by the Board under section 21 of the building zone resolution); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 712-38-BZ—Application of Sidney L. Strauss, applicant, on behalf of Steeples Management Corporation, owner, reopened and restored to Calendar November 13, 1940, under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business use in part of the cellar and in part of the first story of an existing multiple dwelling (previously dismissed for lack of prosecution); premises 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

CAL. NO. 1131-40-BZ—Application, November 29, 1940, under sections 7b and 21 of the building zone resolution, of Emil H. Schwab, Jr., applicant, on behalf of Emil Schwab, Sr., Emma Schwab and Emil H. Schwab, Jr., owners, to permit, partly in a residence use district and partly in a business use district, the maintenance of a business use (stores) on the first story of an existing multiple dwelling; premises 2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot No. 30), Borough of The Bronx.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened December 3, 1940, for rehearing under new proposal, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the change of use of an existing building from bowling alleys, library, stores, auditorium and meeting room (previously granted by the Board) to stores and motion picture theatre (previously denied by the Board); premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½

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of Mary B. MacKay, owner (Etta Ginsberg, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 74-92 Bay Ridge avenue, south side, 200 ft. east of Narrows avenue (Block No. 5869, Lot No. 19), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application of Albert C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, reopened October 15, 1940, under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously granted on certain conditions by the Board; Board's decision reversed by Special Term, Supreme Court, without prejudice to taking further proceedings before the Board); premises 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 926-40-BZ—Application, September 18, 1940, under section 7c of the building zone resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises 1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx.

CAL. NO. 1084-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-63 131st street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1085-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-54 134th street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1139-40-BZ—Application, December 2, 1940, under

section 21 of the building zone resolution, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

Appeal from Administrative Decision.

CAL. NO. 758-40-A-MD—Application, July 9, 1940, under section 60 of the Multiple Dwelling Law, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 7, 1941, 2 P. M.

Appeal from Administrative Decision.

861-40-A—2101-2123 Albemarle road, south side, 190 ft. east of Flatbush avenue (Block No. 5102, Lot No. 59); (Apartment No. 1-N), Borough of Brooklyn.

JANUARY 14, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest

CALENDAR

corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 3, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, November 19, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 19, 1940, were approved as printed in Bulletin No. 48, Volume 25.

BUILDING ZONE CASES.

97-37-BZ.

APPLICANT—Theodore R. Feinberg, for Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee).

SUBJECT—Application reopened October 8, 1940 (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Paul P. Meltzer.

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M., on written request of applicant.

94-38-BZ.

APPLICANT—William L. Schrauth and Earl J. Helmick, for Jeho Company, Incorporated, owner.

SUBJECT—Application reopened July 16, 1940, for rehearing (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—89-04 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Schrauth.

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M., for further consideration by the Board.

253-40-BZ.

APPLICANT—Oscar Goldschlag, for Direct Realty Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit on a plot located in a business use district and residence use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles A. Cohen, Milton Goldschlag, Michael M. Azar, Albert G. Anderson and C. J. Brody.

For Opposition: Sol A. Herzog, Edward Beilin, Sam Gleich and Leo Eskries.

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M., for decision by the Board without further argument.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to December 10, 1940, at 10 A.M., for applicant to file another set of revised plans carrying out suggestions of Board.

583-40-BZ.

APPLICANT—Henry Nordheim, for O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee).

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SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, James W. O'Brien, Charles Barnett, John Gallagher, Bob M. German, Samuel Domesk, Ida Barnett, Louis Kern and Geo. Stanley.

For Opposition: Benjamin Antin, S. Rimland and Earl Gallant.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., for inspection by a committee of the Board and decision by the Board without further argument.

285-36-BZ.

APPLICANT—Frederick W. Rothamel, for Otto Gebhardt, owner (Revonah Laundry, Incorporated, lessee).

SUBJECT—Application reopened April 9, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the storage of more than five (5) motor vehicles (previously granted on condition—re change of occupancy of an existing building to a garage for more than five (5) motor vehicles, motor vehicle repair shop and, also, gasoline service station).

PREMISES AFFECTED—72-27 Cypress Hills street, northeast side, 199.41 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Frederick W. Rothamel, Pauline Gebhardt and William Jay Yarpp.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(285-36-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles, motor vehicle repair shop and gasoline service station, premises 72-27 Cypress Hills street, northeast side, 199 ft. south of Myrtle avenue (Block No. 3600, Lot No. 125), Glendale, Borough of Queens, was granted by the Board January 19, 1937, on certain conditions; and

WHEREAS, Frederick W. Rothamel, for Otto and Pauline Gebhardt, owners, requested reopening of the application to permit, under section 21 of the building zone resolution, the storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board April 9, 1940, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cypress Hills street, Myrtle avenue and 74th avenue are in business use districts; 65th place is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 1127-1940, dated March 5, 1940, reads:

"Certificate of occupancy numbers given are apparently incorrect. Give proper number.

The storing of more than 5 motor vehicles in a business district is contrary to Art. 2, Section 4 of the Building Zone Resolution.

As this building was acted on by the Board of Standards and Appeals under 285-36-BZ any variations therefrom must be submitted to same Bd. for their consideration."

and

WHEREAS, the existing building is of non-fireproof construction, 50 ft. front by 80 ft. maximum in depth, and one story in height; the existing building is used as a five (5) car garage, automobile repair shop and for greasing cars; it is proposed to convert the use of the building to a garage for more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 19, 1937, so that as amended the resolution shall read:

"Granted, under sections 7f and 7i, for a term of five (5) years from the date of this resolution, to permit the building to be occupied as a storage garage for not more than fifteen (15) motor vehicles and as an automobile repair shop in connection therewith, on condition that during the term of this permit such occupancy shall be solely for the storage and servicing of light trucks and for motor vehicles used in connection with the tenant's business as a laundry; that no machinery shall be installed in connection with the repair work requiring motor power greater than one-quarter horsepower per machine; that there shall be no forge or anvil used on the premises; that permits shall be obtained from the fire commissioner for any welding or acetylene torch equipment used on the premises requiring such permit; that the existing gasoline equipment consisting of one pump and the 550-gallon tank located within the building may be continued, provided the gasoline is dispensed only to the motor vehicles of the tenant stored and serviced within the building; that there shall be no windows or other openings in the interior lot line walls; that the ceiling throughout shall be protected with not less than 28 gauge metal ceiling; that no alterations shall be made to the building front; that the building shall not be increased in height or area; that a new certificate of occupancy shall be obtained consistent with the uses granted herein; that no sign shall be installed other than those now existing and no roof sign shall be erected; that such additional portable fire-fighting equipment shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained within thirty (30) days from the date of this amended resolution."

489-38-BZ.

APPLICANT—Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application reopened October 3, 1940, under section 21 of the building zone resolution (re decision of the borough superintendent of buildings), to permit in a residence use district the erection and maintenance of a gasoline service station (previously denied by the Board).

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum

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and Assistant Chief McCarthy 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(489-38-BZ)

WHEREAS, this application, to permit in a residence use district, under section 21 of the building zone resolution, the erection and maintenance of a gasoline service station, premises 219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens, was denied by the Board January 17, 1939, without prejudice to reopening and further consideration after construction of the overpass of Springfield boulevard over Sunrise highway; and

WHEREAS, Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners, requested reopening of the application and consideration by the Board; and

WHEREAS, this application was reopened by vote of the Board October 3, 1939, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that North Conduit avenue is in a residence use district; Springfield boulevard, 144th avenue and South Conduit boulevard are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 3290-36, dated June 4, 1940, reads:

"Permit No. 3290-1936 has expired by limitation on Sept. 30, 1937 and cannot be renewed as premises are now in a residence district in which the erection of a gasoline service station is contrary to Article 2, section 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 301.6 ft. on North Conduit boulevard, 119.7 ft. on Springfield boulevard and 282.1 ft. along 144th avenue; it is proposed to erect upon the site a one-story building, 50 ft. 4 in. by 43 ft. in area, to be used as office, lubritorium and auto laundry, and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 21 thereof, for a term of ten (10) years from the date of this resolution, to permit the premises to be occupied as a gasoline service station, on condition that the premises shall be leveled and graded substantially to the grade of the adjoining streets; that the gasoline station shall be arranged substantially as indicated on revised plans marked "Received November 16, 1940"; that the accessory building shall be located toward the northerly portion of the plot and shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash and the cupola may be of wood, provided the roof is surfaced with natural slate or heavy asbestos shingles and the roof of the cupola is covered with heavy copper and the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the building shall be faced with face brick on all sides and left unpainted; that the planting areas, properly landscaped, shall be maintained at all times with curb protection not less than 6 in. in width and 6 in. in height; that plans for such planting shall be submitted to the Park De-

partment and approved by them for material and arrangement; that the balance of the plot where not occupied by accessory building, planting and pumps shall be paved with concrete, Colprovia, or other similar impervious material; that the gasoline pumps shall be not nearer than 15 ft. to the street building line of North Conduit avenue or Springfield boulevard; that there shall be no pumps or entrance from 144th avenue; that all pumps shall be of the type and design as approved by the Park Department for use on parkways; that entrances shall be restricted to three from North Conduit boulevard and two from Springfield boulevard, each not exceeding 25 ft. in width; that the curb cuts opposite shall be of similar width; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps and to post standards for brand signs, excluding all temporary signs and roof signs; that such signs shall be submitted to and approved by the Park Department; that the post standards for supporting brand signs shall be within the building line; that such signs may be illuminated, provided they advertise only the brand of gasoline on sale; that during the term of this permit the premises shall be used for no other uses than herein permitted; that no motor vehicle repairing shall be carried on; that there shall be no parking or storage of cars other than those being serviced; that the greasing equipment shall be of the hydraulic type; that the boiler-room shall be constructed of incombustible material and be separated from the balance of the building and be enterable only from the exterior; that complete working drawings, in accordance with the requirements of this resolution, shall be submitted for approval to the chairman prior to filing same with the borough superintendent of buildings; that such plans shall be filed within one (1) month from the date of this resolution, and after approval of same, all permits required shall be obtained and all work involved completed within one (1) year thereafter.

375-40-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for Walter A. Beudel, owner (Beudel Brothers, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence use district the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue, and 186-08 144th avenue, southwest corner of Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher, Walter A. Beudel and Lauritz Lauritzen.

For Opposition: S. M. Rapps and Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(375-40-BZ)

WHEREAS, Thomas O'Rourke Gallagher, for Walter A. Beudel, owner (Beudel Brothers, lessee), filed April 11, 1940, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence use district the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard (Block No. 3816, Lot No. 76 and part of Lot No. 63), Springfield Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the

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Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that North Conduit avenue is in a residence use district; Springfield boulevard is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1468-40, dated June 27, 1940, reads:

"1. The erection of a gasoline service station within a residence use district is contrary to Art. 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground with frontage of 159 ft. 6 in. on Springfield boulevard and 125 ft. on North Conduit avenue, occupied as a gasoline service station; there is located on the plot a small one-story stucco office building, 14 ft. 2½ in. by 8 ft. 2½ in.; a frame two-car garage, 14 ft. by 20 ft. in area, which is now occupied as greasing pits, and an old frame building 14 ft. 2 in. by 30 ft. in area occupied as an auto accessory store; it is proposed to remove these buildings and to remodel the station as shown on plans filed; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the existing gasoline station to be rearranged and reconstructed substantially as indicated on revised plans marked "Received December 2, 1940"; that all buildings now on the premises shall be removed or reconstructed as proposed; that the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the roof is surfaced with natural slate or approved heavy asbestos shingles; that the ceilings shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the door frames and doors may be of wood; that any windows on the lot line shall be fireproof, glazed with wire glass and be self-closing or shall have the openings filled with approved glass block; that the accessory building shall be substantially in accordance with the design as shown on plans marked "Received December 2, 1940," and shall be constructed on the exterior of face brick, left unpainted; that the plot shall be leveled substantially to the grade of North Conduit boulevard and Springfield boulevard and have a retaining wall constructed along the westerly lot line continuously from North Conduit boulevard to 144th avenue; that gasoline pumps erected shall be not nearer than 12 ft. to North Conduit boulevard or nearer than 18 ft. to the street-building line of Springfield boulevard, as proposed to be widened, except that until the proposed widening of Springfield boulevard is accomplished, the pumps shown paralleling Springfield boulevard may be erected not nearer than 20 ft. to the present street building line of Springfield boulevard; that planting shall be arranged as indicated on plans marked "Received December 2, 1940"; that in the event of the widening of Springfield boulevard, a planting area shall be established at the intersection of Springfield boulevard and North Conduit avenue for a distance of not less than 10 ft. along each street building line; that during the term of this permit the premises shall be used for no other use than as herein permitted, and as a sales room in the rear building for accessories and a single-car garage for the owner; that there shall be no motor vehicle repairing on the premises and there shall be no parking or storage of cars other than those being serviced; that entrances shall be restricted to two (2) from Springfield boulevard not exceeding 25 ft. in width each and two to North Conduit boulevard of similar width, with curb cuts opposite of similar width, except that there may be a curb cut to permit entrance directly to

the private one-car garage on 144th avenue; that no signs shall be permitted, except permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all temporary and roof signs, but permitting the erection of post standards within the building line for supporting signs, which may be illuminated, advertising only the brand of gasoline on sale; that such signs shall be restricted to locations within the plot at the intersection of North Conduit boulevard and Springfield boulevard and the intersection of Springfield boulevard and 144th avenue; that all such signs shall be as approved by the Park Department under requirements of law and shall not extend beyond the building line; that the gasoline pumps and pedestals shall be of the type and design approved by the Park Department for use on parkways; that where not occupied by the accessory building, planting and pumps, the entire surface of the premises shall be paved with cement, Colprovia or other similar impervious material, properly pitched to provide ground drainage; that unless the greasing equipment is of the hydraulic type, any grease pits installed shall be ventilated by means of ducts from the bottom of the pit through the roof by a motor-driven fan of the type as approved for explosive atmospheres; that the boiler-room shall be at the grade level, except for the necessary pit to provide pitch and shall be constructed of fireproof material and separated from the balance of the building and enterable only from the exterior; that complete working drawings, in accordance with the requirements of this resolution, shall be submitted for approval to the chairman prior to filing same with the borough superintendent of buildings; that after such approval all permits required shall be obtained and all work completed within one (1) year thereafter.

512-40-BZ.

APPLICANT—Henry Nordheim, for Salvatore Rullo, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of a building to a motor vehicle repair shop.

PREMISES AFFECTED—2623 Roberts avenue, north side, 100 ft. west of Blondell avenue, and 1409 Blondell avenue (Block No. 4074, Lot Nos. 22 and 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Salvatore Rullo and Samuel Rullo.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(512-40-BZ)

WHEREAS, Henry Nordheim, for Salvatore Rullo, owner, filed May 14, 1940, an application under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of a building to a motor vehicle repair shop; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue, and 1409 Blondell avenue (Block No. 4074, Lot Nos. 22 and 29), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roberts avenue and Halperin avenue are in business and unrestricted use districts; Blondell avenue is in an unrestricted use district; Williamsbridge road is in a business use district; and

MINUTES

WHEREAS, the decision of the borough superintendent of buildings, on an application for a certificate of occupancy, dated May 8, 1940, reads:

"Please be advised that your application for a Certificate of Occupancy for the use of the one-story brick, (non-fireproof) building at above location, as a Motor Vehicle Repair Shop, is denied, as the premises is within a business district as established by the Amended Building Zone Resolution, where such occupancy is contrary to Article 2, Section 4 of said resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground with a frontage of 43 ft. on Roberts avenue, 34 ft. on Blondell avenue and a distance of 164 ft. along the north lot line; the Roberts avenue frontage of the plot is located in the unrestricted use district while the remainder of the plot is in the business use district; upon the Blondell avenue frontage of the plot there is located a two-story frame dwelling while on the westerly portion of the plot there is located a two-car garage and a one-story non-fireproof building, 25 ft. by approximately 40 ft. in area; it is proposed to use this latter building as a motor vehicle repair shop; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of section 7, subdivisions b and c, of the building zone resolution, and, further, that the applicant had failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, dated May 8, 1940, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

879-40-BZ.

APPLICANT—H. I. Feldman, for Boiaz Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of a multiple dwelling to business use (stores).

PREMISES AFFECTED—2081 Grand Concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: S. N. Alderman.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(879-40-BZ)

WHEREAS, H. I. Feldman, for Boiaz Realty Corporation, owner, filed August 30, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of a multiple dwelling to business use (stores); premises 2081 Grand Concourse, northwest corner of East 180th street (Block No. 3161, Lot No. 30), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse, Creston avenue, East 180th street and East 181st street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 425-40, dated June 20, 1940, reads:

"A-1: Stores proposed are unlawful. Article 2, Section 3, Zone Resolution.

NOTE: Building site is entirely within a 'Residence District.'"

and

WHEREAS, the existing building is of non-fireproof construction, with a 93 ft. 8 in. frontage on Grand Concourse and 100 ft. on East 180th street, five stories and basement in height; it is proposed to alter and to convert the occupancy of part of the basement story of the existing multiple dwelling to business use (stores); and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 425-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

951-40-BZ.

APPLICANT—Lama and Proskauer, for Italian Center of Queens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7c of the building zone resolution, to permit in a business use district, extending into a residence use district, the erection of a building to be used as office, auditorium, banquet rooms, club rooms and kitchen.

PREMISES AFFECTED—102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Cornelius G. De Loca.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(951-40-BZ)

WHEREAS, Lama and Proskauer, for Italian Center of Queens, Incorporated, owner, filed October 1, 1940, an application under section 7c of the building zone resolution, to permit in a business use district, extending into a residence use district, the erection of a building to be used as office, auditorium, banquet rooms, club rooms and kitchen: premises 102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business and residence use district; 68th avenue is in a residence use district; Yellowstone boulevard is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 3186-40, dated September 23, 1940, reads:

"3. Building carried on as a business and extending partly in a residence district is contrary to Section 3 of the Zone Law."

MINUTES

and

WHEREAS, the proposed building will be of Class 3 construction with a frontage of 63 ft. 3 in. and a depth of 104 ft. 11 in., two stories in height; a small irregular shaped area of the building, having a frontage of approximately 4 ft. 6 in. on 68th avenue, is located in a residence use district, while the remainder of the building is in a business use district; it is proposed to use the building as office, auditorium, kitchen, banquet and club rooms; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension of the proposed use into the more restricted district, as indicated on plans and statement filed herewith, *on condition* that such portion of the premises within the residential use area shall be used solely for rear yard and brick-enclosed stairway in connection with the building and shall remain otherwise unbuilt upon, as indicated; that the main floor shall be constructed of Class 1 or Class 2 construction; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto as modified by the Board on this date under Cal. No. 1019-40-A.

1028-40-BZ.

APPLICANT—Aymar Embury II, for Metropolitan Jockey Club, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7a of the building zone resolution, to permit in a residence use district the alteration and extension of business buildings used in conjunction with a race track.

PREMISES AFFECTED—163-24 and 165-10 Baisley boulevard, south side, 200 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: David J. Brown, Aymar Embury II, Louis Jensen, Lillian Smith and Helen Bauer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1028-40-BZ)

WHEREAS, Aymar Embury II, for Metropolitan Jockey Club, owner, filed October 24, 1940, an application under sections 21 and 7a of the building zone resolution, to permit in a residence use district the alteration and extension of business buildings used in conjunction with a race track; premises 163-24 and 165-10 Baisley boulevard, south side, 200 ft. east of New York boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 3, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Baisley boulevard is in a business use district; 129th avenue is in a residence and business use district; New York boulevard is in a business use district; 165th street is in a residence and business use district; 166th street is in a residence and business use district; 167th street is in a residence and business use district; 168th

street is in a residence and business use district; 169th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6786-1940, dated October 11, 1940, reads:

"The extension of a business building in a residence district is contrary to Article 2, Section 3 of the zoning law."

and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6787, dated October 11, 1940, reads:

"The erection of a business building in a residence district is contrary to article 2, section 3 of the Zoning Law."

and

WHEREAS, the premises consist of a plot of ground bounded by New York boulevard, Baisley boulevard, the right-of-way of the Long Island Railroad and (generally) 134th avenue; occupied as a race track by the Metropolitan Jockey Club; it is proposed to remove part of the westerly portion of the existing paddock and to erect a two-story building, 35 ft. by 80 ft. in area, to be used as a jockey house; also, to remove existing buildings, to remodel and extend the grandstand, as shown on plans filed with this application; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7c thereof, *on condition* that the buildings as proposed shall not be further extended in height and area, and that in all other respects shall comply with all laws, rules and regulations applicable thereto as modified by the Board under Cal. No. 1029-40-A; that all permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

1019-40-A.

APPLICANT—Lama and Proskauer, for Italian Center of Queens, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Cornelius G. De Loca.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1019-40-A)

WHEREAS, Lama and Proskauer, for Italian Center of Queens, Incorporated, owner, filed October 23, 1940, an appeal from a decision of the borough superintendent of buildings; premises 102-31 Queens boulevard, southeast corner of 68th avenue (Block No. 2137, Lot No. 8), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 3186-40, dated September 23, 1940, reads:

"1. Building is over 5,000 square feet in area, must be fireproof as required by Sec. 4.2.1.

2. Building is over 20 ft. in height must be fireproof as required by Sec. 4.2.1."

MINUTES

and

WHEREAS, the proposed building will be 63 ft. 3 in. by 104 ft. 11 in. in area, two stories (34 ft. 6 in.) in height; of Class 3 construction; located in a business and residence use district, and be occupied: basement, banquet and club room, boiler-room and kitchen, 150 persons; first story, auditorium, 300 persons; second story, office and club rooms, 50 persons; and

WHEREAS, the applicant contends that the building is to be used for the welfare of the entire Borough of Queens; that in view of this, it is respectfully requested that the appeal be granted.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 3186-40, Objection Nos. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased further in height; that the secondary means of exit shown as an exterior iron stairway shall be brick-enclosed; that in all other respects the building shall meet all requirements of all laws, rules and regulations applicable thereto, including the zoning resolution, as varied by the Board on this date under Cal. No. 951-40-BZ.

1029-40-A.

APPLICANT—Aymar Embury II, for Metropolitan Jockey Club, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-10 Baisley boulevard, south side, 480 ft. east of New York avenue (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens (under section 35, General City Law—re bed of Mapped street).

APPEARANCES—

For Applicant: Aymar Embury II and David Brown.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1029-40-A)

WHEREAS, Aymar Embury II, for Metropolitan Jockey Club, owner, filed October 24, 1940, an appeal from a decision of the borough superintendent of buildings, pursuant to section 35 of the General City Law, for permission to erect a building in the bed of mapped streets (166th street, 167th street, 168th street and 169th street), south of Baisley boulevard (Block No. 3300, Lot No. 2), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6787-40, dated October 11, 1940, reads:

"2. The erection of a structure in the beds of mapped streets, is not permitted."

and

WHEREAS, due notice has been had by publication in the Bulletin of the Board, supplemented by publication in the Long Island Daily Press; and

WHEREAS, the proposed building will be 1,160 ft. by 110 ft. in area, three stories (46 ft.) in height; of Class 3 construction; located in a residence use D area district; occupied as a grandstand in connection with the race track now operated on the premises; it is proposed to remove part of the westerly portion of the existing paddock and to erect a two-story building, 35 ft. by 80 ft. in area, to be used as a jockey house, and, also, to remove existing buildings, to remodel and to extend the grandstand, as shown on maps filed with this application; and

WHEREAS, the applicant contends that the existing buildings are in the bed of mapped streets and the proposed buildings will not cross any additional streets.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 6787-40, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the authority granted the Board under section 35 of the General City Law, *on condition* that the building shall otherwise comply with the requirements of all laws, rules and regulations applicable thereto, including the building zone resolution, as varied by the Board under Cal. No. 1028-40-BZ, and that such permit is granted for a term of ten (10) years; that if streets are opened in the interim no claim shall exceed the cost of construction of the building within the bed of the mapped street, less reduction at the rate of ten (10) per cent. per annum of such cost starting with the date of completion of such construction.

Adjourned, 1:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 3, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

555-40-BZ.

APPLICANT—Alfred H. Eccles, for Forest Hills Heights Corporation, owner (Joseph Kaleel, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—100-20 Queens boulevard and 100-34 67th road (Quality street), southwest corner (Block No. 3170, Lot No. 31), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Frances Rochalis.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

675-40-BZ.

APPLICANT—Joseph Lau, for Abraham B. Cox and Henry B. Cannon, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7a of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1233 Second avenue, west side, 75 ft. 8 in. south of East 65th street (Block No. 1419 Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

330-22-BZ.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

MINUTES

SUBJECT—Application for consideration—reopening and rehearing on new proposal—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit the extension and change of use of an existing building now occupied as bowling alleys, library, stores, auditorium and meeting room to stores, motion picture theatre with marquee and signs, extending from a business use district into a residence use district, and to permit the proposed rear extension to occupy a portion of the rear yard in excess of that permitted by section 17(a) of the building zone resolution (previously denied).

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened, subject to usual procedure, and set for hearing December 31, 1940, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

168-29-BZ.

APPLICANT—Interborough Engineering Company, for Frank Memola, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application previously granted on condition under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1810-1816 East 177th street, southwest corner of Taylor street (Block No. 3881, Lot No. 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Ribelle Perotto.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Assistant Chief McCarthy 2
Negative Commissioners Savage and Blum 2

475-31-BZ.

APPLICANT—Allen A. Blaustein, for Jennie Gironi, owner.

SUBJECT—Application for consideration—reopening and amendment—re additional use (re decision of the borough superintendent of buildings), under sections 21 and 7i of the building zone resolution, to permit in a business use district the change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) to garage for more than five (5) motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—76-78 East 28th street, west side, 153 ft. 9¾ in. south of Albemarle road (Block No. 5129, Lot Nos. 15 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

763-38-BZ.

APPLICANT—Herman Kron, for New York Telephone Company, owner (Jacob Goldstein, lessee).

SUBJECT—Application for consideration—reopening and rehearing—based on alleged new facts—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—728 and 732-744 Second avenue, east side, 24.8 ft. south of East 40th street and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Bernard F. Stern.

ACTION OF BOARD—Request to reopen withdrawn without prejudice.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy
Negative 0

68-36-BZ.

APPLICANT—Lama and Proskauer, for Joseph P. Day Incorporated, owner.

SUBJECT—Application for consideration—reopening an extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use C area district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—40-48 Brighton 11th street (Hoff street), west side, 314 ft. 11 in. south of Neptune avenue (Block No. 7516, Lot No. 2386), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy
Negative 0

THE RESOLUTION—

(68-36-BZ)

WHEREAS, this application, affecting premises 40-48 Brighton 11th street (Hoff street), west side, 314 ft. 11 in. south of Neptune avenue (Block No. 7516, Lot No. 2386), Borough of Brooklyn, was granted by the Board June 2, 1936, on certain conditions, time extended June 2, 1938, May 24, 1938, and December 19, 1939, and applicant requests a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals do hereby amend the resolution adopted by the Board on June 2, 1936, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

“that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution.”

170-36-BZ.

APPLICANT—Nathan A. Goldenthal, for Michael J. Shea and Hannah Shea, owners.

SUBJECT—Application for consideration—reopening and

MINUTES

extension of permit—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use district the occupancy of a portion of a plot of ground as an open air parking space for more than five (5) motor vehicles and, also, permitting the conversion of occupancy of an existing structure on the plot to three (3) three-car garages for a temporary period.

PREMISES AFFECTED—25-13 35th street, east side, 92.04 ft. south of Astoria boulevard (Block No. 633, Lot Nos. 30, 31 and 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Martin M. Goldenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(170-36-BZ)

WHEREAS, Nathan A. Goldenthal, for Michael J. Shea and Hannah Shea, owners, filed June 4, 1936, an application under the building zone resolution, to permit in a residence use district the occupancy of a portion of a plot of ground as an open air parking space for more than five (5) motor vehicles and, also, to permit the conversion of occupancy of an existing structure on the plot to three three-car garages; premises 25-13 35th street, east side, 92.04 ft. south of Astoria boulevard (Block No. 633, Lot Nos. 30, 31 and 32), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the Board February 9, 1937, the term of the permit extended November 6, 1938, on certain conditions, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 9, 1937, as amended November 6, 1938, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7, subdivision h thereof, for a temporary term of two (2) years from the date of this amended resolution, to permit six existing one-car garages located on the rear of the lot to be used for storage of pleasure motor vehicles, on condition that the three additional existing one-car garages shall be used as legally permitted under the zone resolution; that the balance of the premises shall not be used for the storage or parking of cars or for any other use that is non-conforming in the residential use district; that the existing tool house located at the front of the property toward the south shall be removed; that the existing wire mesh fence on the lot lines and on the street line shall be maintained in good repair with not more than the two existing entrances from the street; that this variation shall continue only so long as the premises remain in the ownership and control of the present owner and in no event beyond the two-year period herein granted; that no sign shall be maintained and no lights for the general illumination of the premises installed."

262-37-BZ.

APPLICANT—Henry W. Schober, for Herbert H. Peters, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h

and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry W. Schober.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(262-37-BZ)

WHEREAS, Henry W. Schober, for Herbert H. Peters, owner, filed June 4, 1937, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens; and

WHEREAS, this application was granted by the Board October 4, 1938, for a temporary term of two (2) years under section 7h of the building zone resolution, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted October 4, 1938, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted for a temporary term of two (2) years from the date of this amended resolution."

454-37-BZ.

APPLICANT—Lama and Proskauer, for Mary A. Breslin and Elsie F. Breslin, owners (Joseph Papagno, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9105-9115 Third avenue, east side, 31 ft. 4¼ in. south of 91st street, and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Papagno.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(454-37-BZ)

WHEREAS, Lama and Proskauer, for Mary A. Breslin and Elsie F. Breslin, owners (Joseph Papagno, lessee), filed September 22, 1937, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the

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parking and storage of more than five (5) motor vehicles; premises 9105-9115 Third avenue, east side, 31 ft. 4¼ in. south of 91st street, and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board January 10, 1939, on certain conditions, for a temporary term of two (2) years under sections 7h and 21 of the building zone resolution; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 10, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted under section 7h, for a temporary term of two (2) years from the date of this amended resolution*, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so stored or parked; that the plot shall be leveled to the grade of the surrounding streets and surfaced with steam cinders or other material suitably rolled and bound to prevent dusting; that there shall be erected on the interior lot lines, where walls of existing buildings do not occur, substantial fences; that a similar fence shall be erected on 91st street with no opening therein to 91st street; that the sole entrance to the property shall be from Third avenue; that on the Third avenue building line a substantial fence shall be erected, which may consist of the existing billboards, which may be continued on the Third avenue frontage during the term of this variance; that no additional signs shall be erected on the premises other than a sign at the entrance advertising the parking use, such sign not to exceed 15 sq. ft. in area; that during the term of this variance the plot shall be used for no other use than that herein permitted; that proper aisles for easy access and egress shall be maintained at all times; that no buildings shall be erected on the premises, except a building not over 150 sq. ft. in area and one story in height, which may be of frame construction, as an office and shelter for the attendant; that such portable fire-fighting appliances shall be installed as the fire commissioner may direct; that the curb cut opposite the entrance shall not exceed 15 ft. in width."

608-37-BZ.

APPLICANT—Patrick J. Keating (lessee), for First Methodist Episcopal Church, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under sections 7h and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(608-37-BZ)

WHEREAS, Patrick J. Keating, for First Methodist Epis-

copal Church, owner, filed December 21, 1937, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the Board October 18, 1938, on certain conditions, under sections 7h and 21 of the building zone resolution, for a temporary term of two (2) years, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 18, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted under section 7, subdivision h, of the building zone resolution, for a temporary term of two (2) years from the date of this amended resolution*, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only cars of the pleasure-car type shall be stored or parked; that all existing buildings shall be removed from the premises, except there may be a building not over one story in height, of frame construction, not over 150 sq. ft. in area, used solely as an office and shelter for attendant; that during the term of this variance the lot shall be used for no other uses than herein permitted; that the lot shall be graded substantially to the level of Roosevelt avenue and shall be covered with steam cinders or clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior and street building lines a substantial woven-wire fence, not less than 6 ft. in height, except for one entrance to Roosevelt avenue not exceeding 20 ft. in width; that curb cut opposite shall not exceed 20 ft. in width; that the curb where now broken down shall be restored, except for the herein permitted curb cut; that any lights erected for general illumination shall be so placed as to reflect toward the center of lot, using metallic reflectors, and reflecting away from adjoining occupancies; that proper aisles shall be maintained at all times for easy access and egress; that such portable fire-fighting appliances shall be provided as the fire commissioner shall direct."

1197-38-BZ.

APPLICANT—Edgar J. Moeller, for Three Fourteen West Thirty-Fourth Street Corporation, owner (Allen Kerr, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—314-318 West 34th street, south side, 225 ft. west of Eighth avenue (Block No. 757, Lot Nos. 46, 47 and 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

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Negative 0
THE RESOLUTION—
(1197-38-BZ)

WHEREAS, Edgar J. Moeller, for Three Fourteen West Thirty-Fourth Street Corporation, owner (Allen Kerr, lessee), filed December 23, 1938, an application under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 314-318 West 34th street, south side, 225 ft. west of Eighth avenue (Block No. 757, Lot Nos. 46, 47 and 48), Borough of Manhattan; and

WHEREAS, this application was granted by the Board February 15, 1939, on certain conditions, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 15, 1939, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"granted for a temporary term of two (2) years from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

821-40-A.

APPLICANT—Samuel Rosenblum, for Fanny Leon, owner (Joe's Automotive Electric Service, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—436 West 57th street, south side, 300 ft. east of 11th avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to December 10, 1940, at 2 P.M., for applicant to correct plans.

602-40-A.

APPLICANT—Paul Friedman, for Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee).

SUBJECT—Application for consideration—reopening and rehearing on new proposal—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Appeal reopened, restored to Calendar and set for hearing December 31, 1940, at 10 A.M.

THE VOTE TO REOPEN, RESTORE TO CALENDAR AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

1127-40-A.

APPLICANT—New Era Management Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-88 Hugh J. Grant Circle, south side, 95.69 ft. west of East 177th street, and

1925 Newbold avenue (Block No. 3795, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

969-40-A.

APPLICANT—Lama and Proskauer, for Benjamin J. Friedman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—366 Kingston avenue, west side, 95 ft. 6 in. north of Crown street (Block No. 1292, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Benjamin J. Friedman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(969-40-A)

WHEREAS, Lama and Proskauer, for Benjamin J. Friedman, owner, filed October 4, 1940, an appeal from a decision of the borough superintendent of buildings; premises 366 Kingston avenue, west side, 95 ft. 6 in. north of Crown street (Block No. 1292, Lot No. 44), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 2718-40, dated November 14, 1940, reads:

"1. Proposed extension of gasoline service station in a business use district is contrary to Art. II, Sec. 4(a) of Zone Resolution."

and

WHEREAS, Violation No. 1867-40 was issued April 30, 1940, for occupying these premises contrary to section 2.1.3.1 of the Building Code and section C26-181.0 of the Administrative Code in that the building is being occupied as a gas selling station without a certificate of occupancy; and

WHEREAS, the premises consist of a plot 32 ft. 3½ in. by 40 ft. in area; located in a business use C area district; upon the plot there exists a two-story Class 3 building, 24 ft. in height and 24 ft. 6 in. by 40 ft. in area; erected in 1921, and occupied: cellar, ordinary use; first story, store; second story, one family; it is proposed to be occupied: cellar, same; first story, store and gasoline selling station; second story, one family; and

WHEREAS, Certificate of Occupancy No. 56944 was issued for restaurant, beauty parlor and one-family dwelling; and

WHEREAS, the applicant contends that this is an appeal made to clarify a discrepancy existing between the records of the Department of Housing and Buildings and those of the Fire Department; that on April 30, 1940, the owners received a violation from the Department of Housing and Buildings to procure a certificate of occupancy for a gasoline selling station; that application for the certificate was made under Alteration Application No. 2718-40 describing the premises as "Beginning at a point on the west side of Kingston avenue distant 95 ft. 6 in. north from corner formed by the intersection of Kingston avenue and Crown street

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running thence south 32 ft. 3½ in., thence east 40 ft. to the point or place of beginning"; that the Fire Department records show the area to be 27 ft. by 100 ft.; that in view of the foregoing facts, it is respectfully requested that this appeal be granted.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 2718-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing gasoline pump and tank shall not be extended beyond its present location on Lot No. 44, Block No. 1292, having a frontage of 32 ft. 3½ in. on Kingston avenue and a depth of 40 ft., being removed a distance of 95 ft. 6 in. northerly from the intersection of Crown street and Kingston avenue; that the certificate of occupancy shall be issued for the premises in question if found to comply with all laws, rules and regulations in all respects; that the Fire Department records shall be corrected to conform with the above; that the certificate of occupancy relating to the adjoining premises at No. 368 Kingston avenue shall be corrected accordingly, such premises having a frontage of 20 ft. 4 in. and being located 75 ft. 2 in. northerly from the corner formed by the intersection of Crown street and Kingston avenue.

992-40-A.

APPLICANT—James J. Deegan, for Anton Heiss, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx.

APPEARANCES—

For Applicant: James J. Deegan.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(992-40-A)

WHEREAS, James J. Deegan, for Anton Heiss, owner, filed October 11, 1940, an appeal from an order of the fire commissioner; premises 522 East 133rd street, south side, 300 ft. west of St. Ann's avenue (Block No. 2260, Lot No. 7), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, Order No. 23484-LC, dated September 11, 1940, reads:

"Before a permit may be issued for you to conduct a technical establishment, the following must be done:

1. Provide an approved buried storage system for the reception of reclaimed solvents. Note: Plan to be filed with and approved by the Department of Housing and Buildings.

2. Provide a fireproof room in which to keep solvent awaiting reclamation.

3. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner."

and

WHEREAS, the building is one story (12 ft. 6 in.) in height, 19 ft. 4 in. by 22 ft. in area; of Class 5 construction; located in an unrestricted use district; erected in 1919, and occupied as a welding shop, two persons; it is proposed to be occupied for the refining of solvents, two persons; no certificate of occupancy has been issued; and

WHEREAS, the applicant contends, as to Objection No. 1, that the reclaimed solvent is not stored on the premises but is packed in drums or cans directly upon completion of the refining process and shipped immediately; that cans and drums containing solvent remain on the premises only until a trucking service picks up same for delivery to their des-

tinations; that, as to Objection No. 2, no storage room is needed for the incoming solvents as they are put in the refining process directly upon receipt; that, as to Objection No. 7, this item is appealed from due to the fact that the applicant does not understand what is required.

Resolved, that the order of the fire commissioner, Order No. 23484-LC, as to Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the reclaimed solvent shall be stored in steel drums in the open air on the unbuilt upon portion of the lot; that materials received prior to reclaiming shall be similarly stored in steel drums; that at no time shall there be more than two (2) drums of material, prior to or after reclaiming, stored within the building; that each of the two existing stills shall be equipped with a relief valve venting to the outer air; that such safety valves are to be set to blow off at twenty pounds and that such portable fire-extinguishing appliances shall be maintained as the fire commissioner shall direct; that there shall be no opening connecting the space in which the high pressure steam boiler is located and the reclaiming operation; that such boiler-room enclosure shall be enterable solely from the outside, and the partitions between the two sections of the buildings shall be protected by means of asbestos sheets against the corrugated iron to make it as nearly vapor-proof as possible, and that the other items of Order No. 23484-LC thereto shall be complied with, and granted for a term of two (2) years from the date of this resolution; that the building shall not be increased in height or area, and in all other respects shall comply with all laws, rules and regulations applicable thereto.

1099-40-A.

APPLICANT—W. J. McCoy, Jr., engineer, for Worthington Pump and Machinery Corporation, for Stanley Mark Strand Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—212-216 West 48th street, south side, 140.4 ft. west of Broadway (Block No. 1019, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: W. J. McCoy, Jr. and William F. Bishop.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1099-40-A)

WHEREAS, W. J. McCoy Jr., engineer, for Worthington Pump and Machinery Corporation, for Stanley Mark Strand Corporation, owner, filed November 19, 1940, an appeal from an order and a decision of the fire commissioner; premises 212-216 West 48th street, south side, 128 ft. west of Broadway (Block No. 1019, Lot No. 46), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 23289-LC, dated August 27, 1940, reads:

"Before a permit may be issued for you to operate or maintain a refrigerating plant, the following must be done:

4. Conduct the discharge from pressure relief valves to the outer air. Note: Applies to (2) Class B systems containing 2000 lbs. and 68 lbs. F 12."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated October 17, 1940; and

WHEREAS, the building is five stories (60 ft.) in height, 75 ft. by 47.7 ft. in area; of Class 6 construction; erected in 1914; located in a retail-1 use district; equipped with a

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standpipe and a sprinkler system, and occupied: cellar, shipping and machinery room, 4 persons; first story, office and store, 10 persons; second story, photographic studio, 10 persons; third and fourth stories, same, 10 persons each floor; fifth story, same, 5 persons; and

WHEREAS, the refrigerating system involved is a 260-ton centrifugal system to provide cooled water which is used to air-condition the Strand Theatre; the equipment consists of a centrifugal compressor driven by a 300 horsepower motor, a 44 in. diameter by 13 ft. long Freon-11 tubular cooler and a 36¾ in. diameter by 13 ft. long Freon-11 tubular condenser with flash tank and safety devices; the tubular cooler and the condenser are equipped with safety relief valves located on top of the vessels and set to operate at fifteen pounds; the complete operating charge for the system is 1,800 pounds of Freon-11; and

WHEREAS, the applicant contends that the Administrative Code does not distinguish between irritating and non-irritating refrigerants and does not specifically cover the venting of safety devices to outside the building on systems using Freon-11 refrigerant; that the proposed amendment to the Administrative Code distinguishes between irritating and non-irritating refrigerants and does not require the venting of safety valves to outside of buildings for systems using Freon refrigerants; that the physical properties of Freon-11 refrigerant obviate the necessity of venting safety valves to the outside of buildings; and

WHEREAS, proposed Local Law Introductory 296, introduced June 21, 1940, in relation to air cooling and refrigeration systems is now under consideration by the Council and under its terms in section C19-103.0, paragraph g, a relief valve is not required to be piped to the outside of the building where the refrigerant used is listed in Group I as established under section C19-98.0; and

WHEREAS, the refrigerant proposed is Freon-11, which is among those included in Group I.

Resolved, that the order of the fire commissioner, Order No. 23289-LC, Item No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that, as to the requirement appealed from, the installation shall comply with the requirements of proposed Local Law Introductory No. 296, introduced June 21, 1940, and that in all other respects the installation shall comply with the requirements of the Administrative Code therefor and the system shall be maintained to the satisfaction of the fire commissioner.

1122-40-A.

APPLICANT—Market Fur Dressing Company, Incorporated (lessee), for Advance Estates, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—153-159 West 27th street, north side, 106 ft. 2½ in. east of Seventh avenue (Block No. 803, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Henry Fox.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1122-40-A)

WHEREAS, Market Fur Dressing Company, Incorporated, for Advance Estates, Incorporated, owner, filed November 26, 1940, an appeal from a decision of the borough superintendent of buildings; premises 153-159 West 27th street, north side, 106 ft. 2½ in. east of Seventh avenue (Block No. 803, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 931-40, dated November 13, 1940, reads:

"2. Show height of 6th floor above street level.

Note the height exceeds 50 ft.; installation is contrary to rule 8.3.2 oil burner rules.

3. Line from pump in basement to burner shows ½ copper tubing, same contrary to rule 7.1.2."

and

WHEREAS, the building is twelve stories (145 ft.) in height, 99 ft. by 99 ft. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; located in an unrestricted use district; erected in 1912, and occupied: cellar, boiler-room and storage, 6 persons; first story, stores, 30 persons; second story, paper box manufacturing, 60 persons; third story, furrier, printer and paper, 60 persons; fourth story, furrier, 50 persons; fifth story, furrier, 50 persons; sixth story, fur skin dressers, 60 persons; seventh story, fur and embroidery, 50 persons; eighth story, fur, cloaks and suits, 50 persons; ninth story, fur and embroidery, 50 persons; tenth story, furs, 50 persons; eleventh story, furs, 50 persons; twelfth story, furs and dresses, 50 persons; and

WHEREAS, the applicant contends that the nature of the business requires the use of steam; that in order to produce steam they installed a boiler fired by No. 2 fuel oil; that as the quantity of oil necessary to continuously operate the burner is greater than that permitted to be stored above the first story of the building, a larger tank is required; that this tank is of a 275 gallons capacity and is located in the basement of the premises; that the oil from this tank is piped from the basement to the sixth story by means of an approved Teesdale pump; that the oil is conveyed through heavy copper tubing (½ in. diameter—049 gauge) encased in 1 in. wrought iron pipe for protection against mechanical injury; that the maximum distance for pumping oil above the grade story under the rules is 50 ft.; that the distance above the grade is 60 ft.; that the applicant is willing at all times to provide any additional safeguards that the Board may deem fit.

Resolved, that the decision of the borough superintendent of buildings, on Application No. 931-40, Objection Nos. 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation shall not exceed a total height of 60 ft. above grade; that the copper tubing shall be encased in wrought iron piping for protection, and that in all other respects the requirements of the Oil Burner Rules of the Board of Standards and Appeals shall be complied with and the installation maintained to the satisfaction of the fire commissioner.

216-34-A.

APPLICANT—Haeuser Shellac Company, Incorporated, lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Haffner.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(216-34-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot

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No. 1), Borough of Brooklyn, was granted by the Board June 18, 1935, for a term of one (1) year, on certain conditions, the term of the permit extended July 7, 1936, June 8, 1937, as amended June 27, 1938, and July 5, 1939, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 18, 1935, as last amended by resolution adopted July 5, 1939, only so far as it has reference to the term of permit, so that as amended this portion of the resolution shall read:

"*granted* for a term of one (1) year from June 27, 1940."

APPLIANCES SUBMITTED FOR APPROVAL.

295-29-SA.

APPLICANT—The Heil Company, owner.

SUBJECT—Application reopened November 13, 1940—re amendment of resolution to include approval of Heil Activ-Flame Oil Burner, Models X1, X3 and X6 (Heil Combustion Oil Burner, Model D, previously approved).

APPEARANCES—

For Applicant: Irving T. Hecht.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(295-29-SA)

WHEREAS, Prossen-Meder Corporation, for Combustion Fuel Oil Burner Company, owner, filed April 30, 1929, an application with the Board of Standards and Appeals for the approval of the appliance known as the Combustion Fuel Oil Burner, Type B; and

WHEREAS, this appliance was approved by vote of the Board December 31, 1929, the resolution amended September 26, 1933, so as to permit the change of name and approval of this burner to the Heil Combustion Fuel Oil Burner, Type B, the resolution further amended December 6, 1938, so as to permit the marketing of this burner under the name of Dietz Oil Burner, Type B; and

WHEREAS, The Heil Company, owner, requested amendment of the resolution so as to include approval of additional models, X1, X3 and X6 and

WHEREAS, this application was reopened by vote of the Board November 13, 1940, and referred to the Committee on Tests for test and report, which report reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1940.

Re: Cal. No. 295-29-SA.

Subject: Combustion Fuel Oil Burner, Type B, amendment of resolution.

The Board of Standards and Appeals on December 3, 1929, approved the Combustion Fuel Oil Burner, Type B. On September 26, 1933, the name of the burner was changed to Heil Combustion Fuel Oil Burner, Type B. On December 6, 1938, the resolution was amended to market the burner as the Dietz Oil Burner, Type B, which was sold in four sizes, known as 1.S.S., 2A, 3 and 4.

It is now requested that the resolution be amended to include additional models, known as X1, X3 and X6, which differ in size only: X1 is two gallons per hour; X3, three gallons per hour; X6, six gallons per hour. The new models differ from the former models and sizes in the following respects: a Fuel Stat unit has been substituted for individual pump regulating valve and strainer (Sundstrand for X1 and Webster for X3 and X6) with direct motor drive instead of belt drive, a Leland or Marathon $\frac{1}{8}$ horsepower motor on X1 and

$\frac{1}{6}$ horsepower motor on X3 and X6. The controls consist of Minneapolis Honeywell or Heil-Perfect.

M.H. RA17—Protecto-relay or 5500 D—Heil Perfect

M.H. P104—Pressure Control or 750 D—Heil Perfect

M.H. T111—Thermostat or 150 D—Heil Perfect

With hot water installation a Minneapolis Honeywell L170 or Heil 650 D is used. The oil used is not heavier than No. 3 U. S. Department of Commerce standards. The burners have been approved by the Underwriters' Laboratories, File No. MP505.

Inspection and test of this burner have been made by the Committee on Tests and the burners found to operate without flarebacks or undue carbon and when oil was shut off to check same, the burner stopped operating in ninety seconds.

On the basis of the inspection and test, it is recommended that the resolution adopted by the Board December 31, 1929, as amended September 26, 1933, and December 6, 1938, be further amended to include the approval of the Heil Activ-Flame Oil Burner, Models X1, X3 and X6, under the conditions set forth in this report and in the resolution of December 6, 1938.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 31, 1929, as last amended December 6, 1938, to include approval of the Heil Activ-Flame Oil Burner, Models X1, X3 and X6, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report and under the conditions as set forth in the resolution of December 6, 1938.

903-40-SA.

APPLICANT—Kres-Kno Oil Burner Manufacturing Company, owner.

SUBJECT—Kres-Kno Ball Flame Domestic Burner, Models BFTDR, BFE, BFToDR, BFWDR, BFSE and BFDPR, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(903-40-SA)

WHEREAS, B. I. Stamm, for Kres-Kno Oil Burner Manufacturing Company, owner, filed September 11, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Kres-Kno Ball Flame Domestic Burner, Models BFTDR, BFE, BFToDR, BFSE, BFWDR and BFDPR; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 2, 1940.

Re: Cal. No. 903-40-SA.

Subject: Kres-Kno Ball Flame Domestic Burner, Models BFTDR, BFE, BFToDR, BFSE, BFWDR and BFDPR, approval of.

B. I. Stamm, for Kres-Kno Oil Burner Manufacturing Company, of New York City, owner, filed September 11, 1940, an application with the Board of Standards and

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Appeals for approval of the Kres-Kno Ball Flame Domestic Oil Burner, as noted above, under the provisions of C19-57, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

The Ball Flame Package Oil Burner is of the mechanical draft pot type consisting of the following assembly. A 1/40 horsepower Rodman Motor, a Sorocco Type fan, an air duct to the burner pot of 18 gauge metal, a cast iron oil pot surrounded by a chrome steel airport shell, a burner ring and a cast iron top plate for interlocking oil burner unit to air duct box.

The controls consist of Automatic Products or Detroit Lubricator Constant Level Valve to control the level of the oil in the pot and to maintain a maximum and minimum flow of oil. A Detroit Lubricator or General Controls Solenoid valve with a by-pass allowing sufficient oil to flow to the oil pilot light for ignition purposes is furnished.

The burner is supplied from a three or six-gallon oil tank located about 5 ft. from the burner or from a 275-gallon unit.

The burner was inspected and tested at 56 West 24th street, New York City. Present at the test was Commissioner Blum and Chief Engineer Huber, representing the Board of Standards and Appeals, and B. J. Stamm representing the manufacturers. There were no undue carbon deposits and no flareback and the burner operated satisfactorily.

The models specified differ only as to controls—BFTDR means oven temperature control, BFE means solenoid valve, BFToDR thermal hot water control, BFSE thermal control for hot air furnaces, BFWDR combination electric control.

As a result of this inspection and test, it is recommended that the Kres-Kno Ball Flame Package Oil Burner be approved for use in New York City for domestic installation with fuel oil not heavier than No. 3 U. S. Department of Commerce standards, provided the burner shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals; that the burner shall have a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 903-40-SA," and in addition, when the burner is used with three or six-gallon tanks, the following additional requirements shall be complied with:

1. When exposed oil piping is more than 8 in. in length same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per rule 7.

2. That the stand supporting the burner in the fire box shall be securely bolted to the bottom thereof.

3. The oil supply container shall be securely anchored to the floor and at least 60 in. away from the boiler in which the device is located.

4. Only approved safety cans shall be used for the storage of oil and filling of oil containers.

5. Floor beneath oil burner device shall be protected by a shield of at least 1/2 in. asbestos or other equivalent material, this shield to extend under and at least 12 in. beyond the outline of the boiler in which the device is installed.

7. The tank shall be set rigidly in a cup shaped base receptacle of sufficient capacity to contain one-third the contents of the tank in case of leakage.

8. That the device shall be connected by a suitable fluepipe to a legal chimney or to the outer air, this flue to be provided with a suitable stack check to nullify down draft.

9. The storage of oil shall be limited to not more than two four-gallon safety cans in reserve unless the installation is made in complete conformity with the Oil Burner Rules.

10. The Board reserves the right to add additional requirements that are deemed necessary.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Kres-Kno Ball Flame Domestic Burner, Models BFTDR, BFE, BFToDR, BFSE, BFWDR and BFDPR, on condition that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

948-40-SA.

APPLICANT—Sanmyer Corporation, owner.

SUBJECT—Hev-E-Oil Burner, Models S-1, S-2, S-3 and S-4, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(948-40-SA)

WHEREAS, Sanmyer Corporation, owner, filed September 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Hev-E-Oil Burner, Models S-1, S-2, S-3 and S-4; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 2, 1940.

Re: Cal. No. 948-40-SA.

Subject: Hev-E-Oil Burner, Models S-1, S-2, S-3 and S-4, approval of.

The Sanmyer Corporation filed September 30, 1940, an application with the Board of Standards and Appeals for approval of the Hev-E-Oil Burner under the provisions of C19-57.0, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

This burner was inspected and tested by the committee of the Board consisting of Commissioner Blum and Chief Engineer Huber and also by Inspector Johnson of the Division of Combustibles of the Fire Department.

This burner is of the mechanical draft pressure atomizing type in which there has been incorporated a small electric preheater for the purpose of burning oils up to and including commercial grade (U. S. Department of Commerce standard) No. 5 fuel oil.

The burner assembly consists of a motor made by the General Electric Company or any other approved type of heavy duty electric motor, a fuel oil pump, an air pump, a blower pressure regulating valve air operated and a strainer, all manufactured by the Sanmyer Corporation, the manufacturers of the burner.

The ignition is electric, a Jefferson transformer being used.

The controls consist of a Minneapolis-Honeywell Protectorelay R-117 and a Pressuretrol L-404 used on this installation because the burner was used with steam

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boiler. There is a further electric thermal control installed in the end of the oil discharge pipe which maintains the oil continuously at a temperature of approximately 104 to 105 degrees Fahrenheit in the preheater.

The preheater is further protected by an electric switch which in case of overheating of the oil shuts off the oil supply.

The regulating valve is actuated by means of the air pressure built up by the primary and pump and permits oil from flowing through the preheater until approximately five to seven pounds of air pressure is maintained. Thus the oil and air supply is interlocked as required by the Oil Burner Rules of the Board.

The burner was tested for flame failure at two installations and it was found that when the oil supply was shut off the control shut down the burner in forty-five to fifty seconds.

The burner is manufactured in four sizes, known as S-1, S-2, S-3 and S-4. The difference between them being increased oil discharge and larger air supply and fan.

As a result of the examination and test, it is recommended that the Hev-E-Oil Burner, Models S-1, S-2, S-3 and S-4 be approved for domestic and commercial installations with fuel oil not heavier than No. 5 U. S. Department of Commerce standard, when installed in accordance with the Oil Burner Rules and this report, on condition that all installations be in charge of an operator having a certificate of fitness and that the burner bear a label permanently affixed reading:

"Approved by the Board of Standards and Appeals for use in New York City with fuel oil not heavier than No. 5, under Cal. No. 948-40-SA. Installation of this burner must be in charge of a person having a certificate of fitness."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Hev-E-Oil Burner, Models S-1, S-2, S-3 and S-4, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1044-40-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, Duo-Therm Division, owner.

SUBJECT—Duo-Therm Oil Burning Furnace, Models No. 750 and No. 850, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1044-40-SA)

WHEREAS, William V. McDevit, for Motor Wheel Corporation, owner, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Duo-Therm Oil Burner Furnace, Models No. 750 and No. 850; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 2, 1940.

Re: Cal. No. 1044-40-SA.

Subject: Duo-Therm Oil Burning Furnace, Models No. 750 and No. 850, approval of.

William V. McDevit, for Motor Wheel Corporation, of Lansing, Michigan, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the Duo-Therm Oil Burner Furnace, Models No. 750 and No. 850, under the provisions of C19-57.0, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

These units are natural draft, vaporizing pot type burners installed as an integral part of a warm air furnace. They are flue connected and designed for operation with a 275-gallon tank with oil flowing through strainer needle valve, thence through a constant level valve to the oil outlet in the pot. The air entering through side walls at the angle (brass baffle) picks up and mixes with the oil vapors. The ignition is manual, continuous oil flame is provided after lighting manually.

The controls consist of Automatic Products Constant level valve type 240. A draft control is provided on stack. The bowl of the burner is made of chrome steel. A fan is provided when required to circulate the warm air around inside of furnace into the room. This fan is of the Sirocco type with 1/6 horsepower motor equipped with overload switch and provides 850 to 1,200 cu. ft. of air circulation.

Tests were made of this burner at 16 New Chambers street by the committee of the Board consisting of Commissioner Blum and Chief Engineer Huber, and it was found that there was no abnormal supply of oil to the burner. Continuous oil pilot flame was not extinguished by starting puffs or back drafts. No explosion or puff backs during period of tests. The constant level valve operated efficiently.

The burner has been approved by the Underwriters' Laboratories, Application No. 38C1898 A Misc. Pet. 611, report filed herewith.

On the basis of this inspection and test, it is recommended that the Duo-Therm Oil Burner, Models No. 750 and No. 850, be approved for use in New York City with domestic and commercial installations with fuel oil not heavier than No. 2 U. S. Department of Commerce standards, when manufactured and installed in accordance with the Oil Burner Rules and this report, provided that each oil burner unit shall bear a label permanently affixed reading as follows:

"Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 1044-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Duo-Therm Oil Burner Furnace, Models No. 750 and No. 850, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

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MATERIALS SUBMITTED FOR APPROVAL.

749-38-SM.

APPLICANT—Zenitherm Products, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Zenitherm (Floor and Wall Covering), approval of (previously dismissed for lack of prosecution).

APPEARANCES—

For Applicant: Thomas P. Garver.

ACTION OF BOARD—Application reopened and restored to Calendar.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

1539-39-SM.

APPLICANT—Boig and Hill, Incorporated, for MacDonald Hardware Manufacturing Company, owner.

SUBJECT—Kramer Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, restored to Calendar and material approved in accordance with report of Committee on Tests.

THE VOTE TO REOPEN, RESTORE TO CALENDAR AND APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1539-39-SM)

WHEREAS, Boig and Hill, for MacDonald Manufacturing Company, owner, filed December 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Kramer Vacuum Breaker; and

WHEREAS, this material was disapproved by vote of the Board May 21, 1940; and

WHEREAS, the applicant requested reopening of the application and further consideration by the Board, on this unit as improved; and

WHEREAS, this application was reopened by vote of the Board; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 2, 1940.

Re: Cal. No. 1539-39-SM.

Subject: Kramer Vacuum Breaker, approval of.

Boig and Hill, Incorporated, agents for MacDonald Hardware Manufacturing Company, of San Francisco, California, owner, filed December 26, 1939, an application with the Board of Standards and Appeals for approval of the Kramer Vacuum Breaker under the provisions of C26-1277.0 (14.8.2.8), Administrative Building Code.

The vacuum breaker was submitted to a test on April 11, 1940, and as a result of its failure to pass such test, was disapproved by the Board on May 21, 1940. The applicant has resubmitted an improved unit. This unit was tested at the vacuum bench of the Department of Water Supply, Gas and Electricity on October 30, 1940, in the presence of J. F. Fitzsimons, representing the Board of Standards and Appeals, H. Plasse, representing the manufacturer, and Chief Inspector Burke of the Department of Water Supply, Gas and Electricity.

The mechanical principle of the unit as improved is the same as the unit disapproved by the Board May 21, 1940, the improved unit, however, increases the diameter

of the air way to the air-port by increasing the spacing between the inner diverting plate and the body of the valve. The bottom of the elevation of the diverting plate is also slightly raised to permit quicker air relief to any vacuum between the unit and the fixture.

The unit as improved successfully withstood 26 in. of mercury vacuum and an endurance test of five minutes under 23 in. of mercury. The unit also permitted proper flushing of the watercloset bowl under residual pressure of ten pounds.

On the basis of the above test, it is recommended that the resolution of the Board of May 21, 1940, be amended so as to approve the Kramer Vacuum Breaker as improved, on condition that the unit bear a label reading—"Within a circle around the periphery at the top, the word, "App'vd" along the bottom, "B.S. & A." in the center two lines, under line reading, "N.Y. C." lower line reading, "1539-39-SM." The Board reserves the right to retest this vacuum breaker at any time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Kramer Vacuum Breaker, as improved, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

877-40-SM.

APPLICANT—R. Guastavino Company (agent), for Western Silicair Products, Incorporated, owner.

SUBJECT—Silicair Acoustical Tile Units, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(877-40-SM)

WHEREAS, Western Silicair Products, Incorporated, owner, filed August 27, 1940, an application with the Board of Standards and Appeals for approval of the material known as Silicair Acoustical Tile Units; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 29, 1940.

Re: Cal. No. 877-40-SM.

Subject: Silicair Acoustical Tile Units, approval of.

Western Silicair Products, Incorporated, owner, filed August 27, 1940, with the Board of Standards and Appeals an application for approval of Silicair Acoustical Tile Units under section C26-178.0,b (2.1.2.5) and for use as an incombustible material under the requirements of C26-88.0 (1.80), Administrative Building Code.

Silicair sound-absorbing units are composed chiefly of diatomaceous earth with a binder of cementitious adhesive material, manufactured into tile units to be used as ceiling or wall finish. Incombustibility tests were conducted on samples of the material by the Electrical Testing Laboratories (Report No. 153200-A filed herewith) in a gas heated crucible furnace of a type as

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used for testing fireproofed wood as provided in C26-337.0 (7.2.3.7), Administrative Building Code. In Test A three specimens 6 x 4 x $\frac{3}{4}$ in. were in contact on one face with a flame temperature of 1,400 degrees Fahrenheit for five minutes. In Test B three specimens 3 x 4 x $\frac{3}{4}$ in. were put in a space subjected to a flame temperature of 1,200 degrees Fahrenheit for five minutes. The specimens all glowed while in contact with the flame and on removal varied in glowing from none to ten seconds and in smoking from none to three minutes but at no time did the material flame. On cooling, the specimens were friable and crushed readily under pressure.

Sound absorption tests were made on Silicair Acoustical Units by the Bureau of Standards, U. S. Department of Commerce (Report dated August 2, 1940, filed herewith). Each sample consisted of seventy-two units 12 in. x 12 in. and having a thickness of $\frac{1}{2}$ in., $\frac{3}{4}$ in. and $\frac{7}{8}$ in., respectively. The material was not painted. When these samples were tested they were cemented to gypsum wall board which was laid on the floor of the reverberation chamber.

The results of the tests are as follows:

Frequency (Cycles per second)	Coefficient of Sound Absorption		
	$\frac{1}{2}$ " thick	$\frac{3}{4}$ " thick	$\frac{7}{8}$ " thick
128	0.05	0.07	0.08
256	.16	.19	.27
512	.52	.66	.75
1024	.75	.88	.91
2048	.85	.85	.87
4096	.84	.85	.87
Noise Coefficient	.55	.65	.70
Weight in lbs. per. sq. ft.	0.51	0.97	1.0

Adhesives used with this material shall have an adhesive strength of not less than $\frac{1}{2}$ lb. per sq. in. within 24 hours of application. Such adhesives shall be waterproof and resistant to alkaline solutions and of such natures that they remain plastic during application.

On the basis of the foregoing data, the Committee recommends approval of Silicair Acoustical Tile Units, $\frac{1}{2}$ in., $\frac{3}{4}$ in. and $\frac{7}{8}$ in. thick, as sound absorption materials under section C26-178.0.b (2.1.2.6) and as incombustible materials under C26-88.0 (1.80) when applied with approved acoustical cement or when hung from an approved mechanical suspension system for use in all classes of buildings. It is further recommended that each package or container of these acoustical materials when used in New York City shall be marked, stamped or labeled as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 877-40-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Silicair Acoustical Tile Units, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1114-40-SM.

APPLICANT—Carl E. Trulock, owner.

SUBJECT—Trulock Safety Screen (Combination Detention and Insect Screen), approval of.

APPEARANCES—

For Applicant: Carl E. Trulock.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1114-40-SM)

WHEREAS, Carl E. Trulock, owner, filed November 22, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Trulock Safety Screen; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 29, 1940.

Re: Cal. No. 1114-40-SM.

Subject: Trulock Safety Screen (Window Guards) (Combination Detention and Insect Screen), approval of.

Carl E. Trulock, of Larchmont, New York, filed November 22, 1940, with the Board of Standards and Appeals an application for approval of the material known as the Trulock Safety Screen under the provisions of section C26-178.0 (2.1.2.5b), Administrative Building Code.

Trulock Safety Screens (window guards) are constructed with frames consisting of steel channels of thickness not less than No. 14 gauge with inner and outer casings of not less than No. 16 gauge. All corner joints are welded and ground smooth. The outer casing is welded to the steel channel frames on the side exposed to the occupant of the room, and no screws are used in any portion of the frame construction that is exposed to the occupant of the room.

Shock absorbers with brass pistons, hard bronze pins and cadmium plated springs made of not less than .125 hard drawn steel wire, oil tempered assembled with cadmium plated screws and washers and having a minimum capacity of 175 pounds per $\frac{1}{2}$ in. of movement are installed within the frame on all four sides on approximately 8 in. centers. The mesh is attached to the shock absorbers by means of a shock distribution bar applied to all four edges.

The mesh consists of wire of .028 diameter of special stainless steel alloys equivalent to the commonly termed 18 and 8 composition and have a tensile strength of 125,000 pounds per square inch, woven into a mesh of an open area of 43 per cent. with double crimped crossings and a tensile strength of not less than 800 pounds per linear inch.

Where hinged screens are used, suitable hinges furnished by the screen manufacturer are entirely concealed in the screen frame and the subframe or buck, and no screen has less than two hinges. Locks are of multiple bolt construction especially designed for this type of screen having two or more bolts as required, all operating from one key station, and are of a design to prevent the locks from becoming inoperative by the insertion of foreign matter in the key hole or cylinders. They are also arranged so that the key cannot be withdrawn except when the bolts are thrown in the locked position. The steel frames receive at least one dipped factory coat baked on.

The following test of a sample panel was made by the Department of Public Works, State of New York (Report dated September 11, 1940, filed herewith).

"The panel was 18 in. by 36 in. with five spring assemblies on each side and three at each end. The panel was placed horizontally in a compression testing machine with a bearing plate 2 in. x $2\frac{1}{2}$ in. at the center of the panel. The load was applied vertically and the deflection noted for 'various loads'.

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With a load of 100 pounds the deflection was .70 in., at 500 pounds it was 1.25 in. and upon removal of the load the deflection was .25 in. At 3,150 pounds one of the bronze pins broke and with a load of 4,150 pounds the deflection was 4.50 in."

On the basis of the foregoing test, the Committee recommends the Trulock Safety Screen for *voluntary* use in New York City under the provisions of section C26-178.0 (2.1.2.5,b) when manufactured and installed according to the foregoing specifications.

It is further recommended that all screens for use under this approval be stamped, labeled or marked "Approved for Use in New York City by the Board of Standards and Appeals, under Cal. No. 1114-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Trulock Safety Screen, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 4:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, March 28, 1939, as they appeared in Bulletin No. 14, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(552-37-A)

WHEREAS, Andrew F. Weber, for Andreas Baudendistel, owner, filed November 23, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 187-12 to 187-14 Linden boulevard, south side, 150.51 ft. east of Long Island Railroad (Block No. 3168, Lot No. 15), St. Albans, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated November 22, 1937, re No. 4769-37, reads:

"Regarding application which you made to this department for issuance of Certificate of Occupancy for use of premises situated at 187-12 to 14 Linden boulevard, Borough of Queens, for Maternity Hospital purposes, be advised that this is hereby **DENIED**, as inspection shows that these premises do not comply with the rules and regulations enforced by this department governing this use and occupancy:

1. Construction non-fireproof—contrary to Section 72 Building Code.
4. Wall thickness not as per Section 257, Building Code."

and

WHEREAS, the building in question is two stories, 23 ft. in height, of non-fireproof construction 36 ft. by 84.19 ft. in area on the 1st story and 36 ft. by 49 ft. in area above, on a lot 40 ft. by 84 ft. 3 in. in area, erected in 1924 and located in a business use "D" area district, to be occupied as follows: Cellar—storage—no persons; first floor—hospital—30 persons; 2nd floor—hospital—11 persons; and

WHEREAS, the applicant contends that the 1st and 2nd floors will be occupied by patients, the cellar and rear extension will be used for storage and work spaces for the staff; that there will be no changes in the construction of the building or any additions, except relocating certain

non-bearing partitions, the installation of a dumbwaiter from the cellar to the 2nd floor, the required changes in the plumbing system and a new exterior iron stair to be installed at the rear of the building as shown on drawings to provide a secondary means of exit from the 2nd floor to the side yard along the east property line; that this stair will be 3 ft. 0 in. wide and at an angle of not more than 45 degrees; that as to item No. 1, which states that the construction is non-fireproof and contrary to section 72 of the building code, the building is only 3 ft. 6 in. above the 20 ft. 0 in. limit permitted in this section where a building may be non-fireproof; that the walls of the existing building are of masonry with wood floor and roof beams; a brick bearing wall extends longitudinally for the length of the building on all floors dividing the building into two areas on all stories; that two means of egress will be provided for each story; that as to item No. 4, which states that the wall thicknesses are not as per section 257 of the building code, this section of the code requires all walls of public and business buildings "when not over 40 ft. in height, 12 in. throughout"; in this existing building the side and the longitudinal dividing walls are 8 in. thick above the foundation; that section 53 of the building code requires a live load of 40 lbs. for "private and ward room floors in hospitals" and the existing building was built for a 40 lb. live load, there would be no additional live load for the walls to bear, and further the existing walls are only 60 per cent of the permitted height of the 12 in. wall, and the clear span on the east part of the building is 19 ft. 0 in. and the clear span in the west part of the building is 15 ft. 0 in.; that the intended occupancy is for nine patients on each floor with all the babies harbored on the 2nd floor and a staff of about five persons with a part of the staff on duty at all times; and

WHEREAS, this appeal was granted by the board, December 4, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on December 14, 1937, so that as amended it shall read:

"Resolved, that the decision of the commissioner of buildings, dated November 22, 1937, in connection with application No. 4769-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the occupancy of the building as a maternity, or proprietary hospital, *on condition* that the building shall not be increased in height and area; that the arrangement, number of beds maintained and the maintenance shall be at all times subject to the approval of the Department of Hospitals; that there shall be erected an *exterior* steel stairway from the roof of the one-story rear extension to the side yard as an additional means of exit; that the cellar ceiling shall be fire-retarded and the heater room enclosed in fire-retarded partitions; that such portable auxiliary fire-fighting appliances shall be installed as the commissioner shall direct; that all permits required shall be obtained and all work completed within six months from the date of this amended resolution; that there shall be proper supervision on each floor during twenty-four hours of each day."

* Correction—"1st floor" changed to "2nd floor" in line 66 of resolution.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on October 22, 1940, as they appeared in Bulletin No. 44, Vol. 25, are hereby corrected to read as follows:

THE RESOLUTION—

(985-40-SM)

WHEREAS, National Gypsum Company, owner, filed Octo-

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ber 11, 1940, an application with the Board of Standards and Appeals for approval of the material known as Gold Bond Acoustical Products (Econocoustic, Acoustex, Travacoustic and Acoustimetal); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 18, 1940.

Re: Cal. No. 985-40-SM.

Subject: Gold Bond Acoustical Products (Econocoustic, Acoustex, Travacoustic and Acoustimetal), approval of.

The National Gypsum Company, of Buffalo, New York, filed October 11, 1940, an application with the Board of Standards and Appeals for approval of its above-mentioned materials for use under the pertinent provisions of the Administrative Building Code. The descriptions of these materials are as follows:

Econocoustic

Econocoustic is made at Mobile, Alabama, from pure wood fibres felted into a porous board of low density (8.9 pounds p.c.f.). The fibres are treated to resist decay and are moisture-proofed with an emulsion of wood resin, drawn from vats on a vacuum wheel, passed through rollers to the desired thicknesses, oven dried and cut to size. It is manufactured in thicknesses of $\frac{1}{2}$ in. and 1 in. and fabricated into units varying from 12 in. x 12 in. to 48 in. x 72 in.

This material is applied to a solid backing with an adhesive having the strength of at least $1\frac{1}{4}$ pounds per sq. in. and nailed at corners where nailing surfaces are available. It may also be applied to metal or wood furring by nailing. This material is *not* classified as an incombustible material. Physical tests of Econocoustic filed by the applicant indicate compliance with the requirements of Rule 1 of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

Acoustex

Acoustex is made at Portsmouth, New Hampshire, from pure wood fibres and a binder of magnesium oxy-sulphate, passed through adjustable pressure rollers to the desired thicknesses. The material is oven dried and cut to size. Mineral coloring matter may be added. This material is manufactured in thicknesses of $\frac{5}{8}$ in. to $1\frac{1}{8}$ in. and fabricated in sizes from 6 in. x 12 in. to 24 in. x 96 in. and is of cellular construction which provides the necessary qualities for insulation and acoustical properties and is a material claimed to have considerable strength and resistance to fire. To determine the incombustibility of Acoustex, tests were conducted at Columbia University (report dated August 27, 1930, photostatic copy filed herewith) on 1 in. Acoustex units attached to $\frac{1}{2}$ in. gypsum plaster backing. The log of the flame test which was conducted for forty minutes in accordance with the Standard "Columbia Curve," on Acoustex, after the temperature was brought up to 1,200 degrees Fahrenheit indicated there was no flaming during the five-minute interval. At the end of thirty minutes the panel was glowing over an area $1\frac{1}{2}$ in. in diameter but with no flaming. This test was continued and at the end of forty minutes no flaming was visible during the entire test.

This material is applied by cementing to a solid backing with an adhesive having the strength of at least $1\frac{1}{4}$ pounds per sq. in. or nailed at the corners where nailing surfaces are available. It may also be applied to metal furring to form a suspended ceiling when hung on "H" bars and splines.

Travacoustic

Travacoustic is made at Portsmouth, New Hamp-

shire, from pure white gypsum (having a density of twenty-four pounds p.c.f.). A foaming agent (HO) is added which induces multiple air cells into the liquid mixture. It is then poured into metal moulds, hardened, and cured in a dryer. After curing it is trimmed to size having thicknesses of $\frac{3}{4}$ in. and 1 in. and in units 6 in. x 12 in. to 12 in. x 18 in. This material being composed of minerals is incombustible. It is applied in the same manner as that provided for in the Acoustex tile given above.

Acoustimetal

Acoustimetal is made at Chicago, Illinois, from 26 gauge Terne Plate. It is formed into metal pans, edges being turned up to fit into carrying runners. The pans are either unperforated, or perforated with holes .068 in. in diameter, 4,608 holes per sq. ft. In the turned edges of the pans bosses are formed to interlock with supporting "T" bars. Sound absorption is accomplished by means of pads of compressed rock wool fibres covered with flameproof Kraft paper. The flameproofing ingredient used on the paper is ammonia salt supplied by the Central Paper Company, of Muskegon, Michigan. These pads rest in the metal pans on wire grids, permitting the face surface to be repainted without affecting the pad. Acoustimetal treatment is applied by clipping 22 gauge rolled "T" bars to standard $1\frac{1}{2}$ in. channel or angle iron furring, or screwed to wood furring where available.

Acoustimetal, since it is composed of a combination of metal and mineral rock wool and flameproof paper, is incombustible. Tests have been filed by the Central Paper Company which certify to the integrity of the flameproofing treatment.

Adhesives

Adhesives used with these materials are required to have adhesive strength of not less than $\frac{1}{2}$ pound per sq. in. when first applied and a strength of not less than $1\frac{1}{4}$ pounds per sq. in. twenty-four hours after application. Such adhesives are waterproof and resistant to alkaline solutions and of such nature that they remain plastic during application.

Acoustical Properties

The acoustical properties of these various materials are tabulated from results of tests performed at the National Bureau of Standards, Washington, D. C., File LC 573, dated November 15, 1939, together with individual test reports from the Bureau of Standards as follows:

Report of Acoustex of March 27, 1939.

Report of Travacoustic August 22, 1940.

Report of Econocoustic (tested under the name of Gold Bond Fibre Acoustical Tile) April 15, 1939, and June 15, 1939.

Report of Acoustimetal November 8, 1939. Copies in duplicate of these tests are enclosed herewith. Reference is also made to test published by the Acoustical Materials Association, under Bulletin No. 7, dated April, 1940, copy of which was also filed with the application.

The following represent the types of mounting (File LC585):

1. Cemented to wall board. This is considered equivalent to cementing to plaster or masonry.
2. Nailed on $1\frac{3}{16}$ inch x 2-inch furring 12 inches o.c. unless otherwise indicated.
4. Laid directly on laboratory floor. As a rule the results obtained in this way are the same as when the tile is cemented to gypsum wall board.
5. Nailed on 2 x 4's 12 inches o.c. unless otherwise indicated.
7. Back of samples covered with concrete.
8. Attached to metal suspension system. Four inches air space back of tile, unless otherwise indicated.

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9. Acoustic tile nailed to 13/16 inch x 2-inch furring 18 inches o.c. Space between furring filled with Rock-wool.

10. Laid on 2 x 8's 12 inches o.c.

11. Laid on 24 gauge sheet iron, nailed to 13/16-inch x 2-inch furring 24 inches o.c.

12. Clipped at corners to 5/8 inch x 1 3/8 inch metal furring 12 inches o.c. Furring was clipped to 1 1/2 inch channels which were 3 feet 6 inches o.c.

The type and classification given in this schedule is in accordance with Federal Specification SS-A-118, dated November 20, 1939.

Material	Thickness	Mounting	Noise Reduction Co-efficient	Type	Classification
Econocoustic	1"	1	.70	8	FF
Acoustex					
Type 30 R	5/8"	2	.65	7	FF
" 40R	3/4"	1	.50	7	II
" 40R	3/4"	2	.65	7	FF
" 50R	7/8"	2	.70	7	EE
" 60R	1"	1	.65	7	FF
" 60R	1"	2	.70	7	EE
" 70R	1 1/8"	1	.65	7	FF
Travacoustic	1"	1	.70	2	FF
Acoustimetal	1 5/8"	8	.85	4	BB

Recommendations

On the basis of the foregoing data, wherein the materials meet the sound absorption requirements of Federal Specifications SS-A-118 for the classes as listed, the Committee recommends the approval of the following materials as incombustible materials, under Section C26-88.0 (1.80) and as acoustical materials under Section C26-178.0.b (2.1.2.5), Administrative Building Code, when made to the specifications herein provided, when applied as herein prescribed and when sold under the following names: Acoustex, Travacoustic, Acoustimetal.

The Committee also recommends the approval of Econocoustic (also sold under the name of Fibre Acoustical Tile) when manufactured to meet the sound absorption requirements of Federal Specifications SS-A-118, Type 8 under Section C26-178.0b (2.1.2.5), complying in physical properties and when uses are in accordance with the Board's "Rules on Uses of Insulating Fibre Board," and as supplemented herein.

The Committee further recommends approval for use in Class 1 and Class 2 construction when backed solidly with fire-resistant materials in accordance with the requirements of C26-667, paragraph 3 and 8 (10.9.2.3, and 10.9.2.8).

It is further recommended that each package or container of these acoustical materials, when used in New York City, shall be marked, stamped or labeled as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 985-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gold Bond Acoustical Products (Econocoustic, Acoustex, Travacoustic and Acoustimetal), on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

* Correction—The name "Travacoustic" inserted in report and resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

RULES

RULES FOR THE TESTING AND USE OF BLENDED CEMENTS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, AUGUST 2, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(584-39-SR)

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph c, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1 The intent of these rules is to provide a basis for the use of blended cements other than Portland Cement. Subject to the restrictions in the approval of the Board as to each brand, such blended cements may be used as substitutes for Portland Cement on an equivalent weight basis where Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, which shall be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plaster-cizing, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods

outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to the steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tongs and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test described in A.S.T.M. Specification C77-36, and the mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours, as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall be not less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq. in.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq. in.

*When tested in accordance with Fed. Spec. SS-C-158.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be equal to or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength, Lbs. Sq. In.
3 days	1 day in moist air, 2 days in water	175
7 days	1 day in moist air, 6 days in water	275
28 days	1 day in moist air, 27 days in water	350

The average tensile strength of the mortar at 7 and 28 days shall be higher than that at 3 and 7 days, respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS:

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement, which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTING ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 51

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCCARTHY

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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DECEMBER 17, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-

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ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 17, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 351-40-BZ—Application, April 5, 1940, under sections 21 and 7f of the building zone resolution, of William F. Regan, applicant, on behalf of William F. Regan, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1090-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

CAL. NO. 977-40-BZ—Application, October 8, 1940, under section 21 of the building zone resolution, of James A. Boyle, applicant, on behalf of William M. Calder Company, owner, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or show rooms located more than 25 ft. from the intersecting street; premises 3047 Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn.

CAL. NO. 865-40-BZ—Application, August 21, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 304-40-BZ—Application, March 25, 1940, under section 21 of the building zone resolution, of J. M. Berlinger, applicant, on behalf of F. W. Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use

(stores); premises 11-15 West 8th street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

CAL. NO. 1021-40-BZ—Application, October 24, 1940, under section 21 of the building zone resolution, of Leon J. Shapiro, applicant, on behalf of Robert Bass, owner, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more than 25 ft. from the corner of the street; premises 464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuhs Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

CAL. NO. 94-38-BZ—Application of William L. Schrauth, applicant, on behalf of Jeho Company, Incorporated, owner, reopened July 16, 1940, for rehearing, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied); premises 89-04 166th street, southwest corner of 89th avenue (Block No. 9795 [866], Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 97-37-BZ—Application of Theodore R. Feinberg, applicant, on behalf of Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Harry Lander, lessee), reopened October 8, 1940, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

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CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 39-31-BZ—Application of Reginald S. Hardy, applicant, on behalf of Woodhaven-Liberty Realty Corporation, owner, reopened May 21, 1940, under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 17, 1940, 2 P. M.

Appeals from Administrative Decisions.

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1004-40-A—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

1100-40-A—80-40 Cooper avenue, south side, 422 ft. east of 80th street (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street).

881-40-A—291-301 Metropolitan avenue, northwest corner of Roebling street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

1142-40-A—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

1078-40-A—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

975-40-A—98 East Burnside avenue, south side, from Walton avenue to Morris avenue (Block No. 2829, Lot Nos. 45 to 53, inclusive), Borough of The Bronx.

1168-40-A—1163-1167 Sixth avenue, west side, 25 ft. 4 in. north of West 45th street, and 103-107 West 45th street (Block No. 998, Lot Nos. 28, 29a, 29b, 30, 31 and 32), Borough of Manhattan.

1164-40-A—84-14 Northern boulevard, southwest corner of 85th street (Block No. 1433, Lot Nos. 1, 2 and 3), Jackson Heights, Borough of Queens.

1171-40-A—783-821 Lafayette avenue, northwest corner of Sumner avenue (Block No. 1787, Lot No. 14); (Public School No. 25), Borough of Brooklyn.

1062-40-A—259 Court street, east side, 23 ft. 5 in. north of Butler street (Block No. 402, Lot No. 2), Borough of Brooklyn.

1097-40-A—470 86th street (472 displayed), south side, 97 ft. 1¼ in. west of Fifth avenue (Block No. 6045, Lot No. 34), Borough of Brooklyn.

944-40-A—19 Richards street, southeast corner of Seabring street (Block No. 505, Lot No. 60), Borough of Brooklyn.

1102-40-A—108-110 West 16th street, south side, 100 ft. west of Sixth avenue (Block No. 791, Lot Nos. 48 and 49), Borough of Manhattan.

1141-40-A—408-412 West 13th street, south side, 124.2 ft. west of Ninth avenue (Block No. 645, Lot Nos. 35, 36 and 37), Borough of Manhattan.

1113-40-A—73-03 and 73-07 189th street, southeast corner of 75th avenue and east side of 189th street, 581 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens.

1130-40-A—144 Avenue C and 701 East 9th street, northeast corner (Block No. 379, Lot No. 1), Borough of Manhattan.

1107-40-A—2111-2131 East 36th street, east side, 216 ft. south of Avenue T, and 2102-2148 East 36th street, west side, 170 ft. 10 in. south of Avenue T (Block No. 8536, Lot Nos. 26, 28, 29, 31, 32, 34 and 35, and Block No. 8535, Lot Nos. 46 to 49, inclusive, 52 and 54 to 57, inclusive, 59, 60, 62, 63, 64 and 66), Borough of Brooklyn.

1169-40-A—1562 Broadway, east side, 80 ft. 6 in. south of West 47th street (Block No. 999, Lot No. 64), Borough of Manhattan.

1187-40-A—406-414 East 44th street, south side, 149.67 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan.

DECEMBER 31, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 31, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 518-40-BZ—Application, May 15, 1940, under sec-

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tion 21 of the building zone resolution, of Edward A. Schuman, applicant and owner (Forest Hills Cement Block Company, Incorporated, lessee), to permit in a business use district the use of premises for the manufacture of cement blocks; premises 117-30 Springfield boulevard, west side, 44.54 ft. north of 118th avenue (Block No. 3358, Lot No. 61), St. Albans, Borough of Queens.

CAL. NO. 942-40-BZ—Application, September 27, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ratlan Realty Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the reconstruction and structural alterations of a building and, also, premises used as a public garage, motor vehicle repair shop, auto laundry, grease pits and gasoline service station; premises 1927-1943 Atlantic avenue and 17-31 Bancroft place, northeast corner (Block No. 1558, Lot Nos. 1 and 32), Borough of Brooklyn.

CAL. NO. 990-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Charles M. Spindler, applicant, on behalf of H. D. Hammond Garage, Incorporated, owner, to permit on a premises located partly in a business use district and partly in an unrestricted use district, the extension of a gasoline service station; premises 6518-6524 Fort Hamilton parkway, 913 929 66th street, northwest corner, and 912-922 65th street (Block No. 5750, Lot Nos. 13 and 26), Borough of Brooklyn.

CAL. NO. 807-40-BZ—Application, July 19, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Richard Stiegler, owner (Sarah Stern, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Realty Corporation, owner, reopened October 15, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously denied by the Board under section 21 of the building zone resolution); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 712-38-BZ—Application of Sidney L. Strauss, ap-

plicant, on behalf of Steeples Management Corporation, owner, reopened and restored to Calendar November 13, 1940, under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business use in part of the cellar and in part of the first story of an existing multiple dwelling (previously dismissed for lack of prosecution); premises 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

CAL. NO. 1131-40-BZ—Application, November 29, 1940, under sections 7b and 21 of the building zone resolution, of Emil H. Schwab, Jr., applicant, on behalf of Emil Schwab, Sr., Emma Schwab and Emil H. Schwab, Jr., owners, to permit, partly in a residence use district and partly in a business use district, the maintenance of a business use (stores) on the first story of an existing multiple dwelling; premises 2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot No. 30), Borough of The Bronx.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened December 3, 1940, for rehearing under new proposal, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the change of use of an existing building from bowling alleys, library, stores, auditorium and meeting room (previously granted by the Board) to stores and motion picture theatre (previously denied by the Board); premises 1663-1669 East 17th street, east side,

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57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 31, 1940, 2 P. M.

Appeal from Administrative Decision.

1006-40-A—141-143 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens (under section 35, General City Law—rebed of mapped street).

JANUARY 7, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 7, 1941*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 377-40-BZ—Application, April 11, 1940, under section 7g of the building zone resolution, of William P. Collins, applicant and lessee, on behalf of Long Island Railroad Company, owner, to permit in an unrestricted use district the parking of more than five (5) motor vehicles on a plot located on the same street and between the same two (2) intersecting streets with a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 10 to 19, inclusive), Long Island City, Borough of Queens.

CAL. NO. 983-40-BZ—Application, October 10, 1940, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Dime Savings Bank of Brooklyn, owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn.

CAL. NO. 828-40-BZ—Application, July 30, 1940, under section 7h of the building zone resolution, of Gaetano Tuzzolino, applicant and lessee, on behalf of Milton Hirschman, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of White Plains road and East

236th street (Block No. 5043, Lot No. 6), Borough of The Bronx.

CAL. NO. 604-40-BZ—Application, June 5, 1940, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf of Mary B. MacKay, owner (Etta Ginsberg, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 74-92 Bay Ridge avenue, south side, 200 ft. east of Narrows avenue (Block No. 5869, Lot No. 19), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application of Albert C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, reopened October 15, 1940, under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously granted on certain conditions by the Board; Board's decision reversed by Special Term, Supreme Court, without prejudice to taking further proceedings before the Board); premises 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 926-40-BZ—Application, September 18, 1940, under section 7c of the building zone resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises 1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx.

CAL. NO. 1084-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-63 131st street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1085-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-54 134th street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street

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(Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1139-40-BZ—Application, December 2, 1940, under section 21 of the building zone resolution, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

Appeal from Administrative Decision.

CAL. NO. 758-40-A-MD—Application, July 9, 1940, under section 60 of the Multiple Dwelling Law, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 7, 1941, 2 P. M.

Appeal from Administrative Decision.

861-40-A—2101-2123 Albemarle road, south side, 190 ft. east of Flatbush avenue (Block No. 5102, Lot No. 59); (Apartment No. 1-N), Borough of Brooklyn.

JANUARY 14, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of

Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 302-29-BZ—Application of Reginald S. Hardy, applicant, on behalf of John Sklar Holding Company, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the inclusion of stores in a garage for more than five (5) motor

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vehicles; said garage previously granted by the Board; the stores do not comply with section 19h of the building zone resolution; premises 146-156 East 98th street and 1159-1171 Winthrop street, northwest corner (Block No. 4614, Lot No. 38), Borough of Brooklyn.

CAL. NO. 207-31-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1146 Southern Boulevard Corporation, owner, reopened November 21, 1939, under section 21 of the building zone resolution, to permit in a business use district a motor vehicle repair shop in an existing building; said building previously acted upon by the Board, permitting its use as a gasoline service station, auto laundry and garage for five (5) cars; premises 1148 Southern boulevard, east side, 237 ft. north of East 167th street (Block No. 2745, Lot No. 11), Borough of The Bronx.

CAL. NO. 1002-40-BZ—Application, October 16, 1940, under sections 7i and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of Harold Swain, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop; premises 1550-1552 Jerome avenue, east side, 241.79 ft. south of East Mount Eden avenue (Block No. 2846, Lot Nos. 23, 24, 25 and part of Lot Nos. 22 and 26), Borough of The Bronx.

CAL. NO. 1181-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Jefferson Associates, Incorporated, and Orada Realty Corporation, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northwest corner of Sedgwick avenue and West 167th street (Block No. 2540, Lot Nos. 16, 21 and 24), Borough of The Bronx.

CAL. NO. 968-40-BZ—Application, October 4, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Jamaica-Fulton Operating Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block No. 9799, Lot Nos. 7 and 42), Jamaica, Borough of Queens.

CAL. NO. 1036-39-BZ—Application, August 10, 1939, under section 21 of the building zone resolution, of Hyman Axinn, applicant, on behalf of Axinn and Sons Lumber Company, Incorporated, owners, to permit, partly in a residence use district and partly in a business use district, the

parking of more than three (3) motor vehicles; premises 222-40 99th avenue, south side, 400 ft. east of 222nd street (Block No. 10805, Lot No. 21), Queens Village, Borough of Queens.

CAL. NO. 799-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Fox and Wintner, applicants, on behalf of Frances S. Burrows, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 4-6 East 135th street, south side, 50 ft. east of Fifth avenue (Block No. 1759, Lot No. 69), Borough of Manhattan.

CAL. NO. 607-40-BZ—Application, June 6, 1940, under sections 7h and 21 of the building zone resolution, of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block No. 9676, Lot No. 13), Jamaica, Borough of Queens.

CAL. NO. 691-40-BZ—Application, June 25, 1940, under sections 7h and 21 of the building zone resolution, of H. Herbert Lilien, applicant, on behalf of Merrimak Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 3325-3331 Broadway, west side, 49 ft. 11 in. north of West 134th street (Block No. 2001, Lot Nos. 31, 32, 33 and part of Lot No. 36), Borough of Manhattan.

CAL. NO. 922-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of Ely Jacques Kahn, applicant, on behalf of Jacob Ruppert Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 205-223 East 93rd street, north side, 90 ft. east of Third avenue, and 204-222 East 94th street (Block No. 1539, Lot Nos. 5 and 7), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 14, 1941, 2 P. M.

Appeal from Administrative Decision.

821-40-A—436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

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JANUARY 21, 1941, 2 P. M.

Appeal from Administrative Decision.

849-40-A—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 10, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, November 26, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 20, 1940, were approved as printed in Bulletin No. 49, Volume 25.

BUILDING ZONE CASES.

39-31-BZ.

APPLICANT—Reginald S. Hardy, for Woodhaven-Liberty Realty Corporation, owner.

SUBJECT—Application reopened May 21, 1940 (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over to December 17, 1940, at 10 A.M., for applicant to file sketches of new design of elevation of building.

729-38-BZ.

APPLICANT—Lama and Proskauer, for Talbo Gasoline Company, Incorporated, owner.

SUBJECT—Application reopened October 8, 1940 (re decision of the acting borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board).

PREMISES AFFECTED—3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Bogart.

For Opposition: None.

ACTION OF BOARD—Laid over to December 31, 1940, at 10 A.M., for further consideration, plans to be filed by December 28, 1940.

446-40-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Incorporated, owner (James McAllister, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7c of

the building zone resolution, to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur H. Haaren, John G. Coleman and R. G. Calder.

For Opposition: None.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., on request of applicant.

812-40-BZ.

APPLICANT—Arthur H. Haaren, for Edlar Realty Corporation, owner (Alex White, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur H. Haaren, John G. Coleman and R. G. Calder.

For Opposition: None.

ACTION OF BOARD—Laid over to December 31, 1940, at 10 A.M., for applicant to file revised plans.

818-40-BZ.

APPLICANT—M. A. Boule, for Sylvia M. Bullowa, owner (John Carmody, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur M. Bullowa.

For Opposition: None.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., for further consideration by the Board.

819-40-BZ.

APPLICANT—M. A. Boule, for Sylvia M. Bullowa, owner (John Carmody, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use

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district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur M. Bullowa.

For Opposition: None.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., for further consideration by the Board.

278-24-BZ.

APPLICANT—William R. Altman, for One Jumel Realty Corporation, owner.

SUBJECT—Application reopened November 8, 1939 (re decision of the acting borough superintendent of buildings), under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of a garage for more than five (5) motor vehicles (previously granted by the Board) from garage use to a motor vehicle repair shop.

PREMISES AFFECTED—441 West 167th street and 1 Jumel place, northeast corner (Block No. 2112, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner

Savage and Assistant Chief McCarthy 3

Negative: Commissioner Blum 1

THE RESOLUTION—

(278-24-BZ)

WHEREAS, this application, to permit, partly in a residence use district and partly in a business use district, the erection and maintenance of a public garage for more than five (5) motor vehicles, premises 441-451 West 167th street (Block No. 2112, Lot No. 58), Borough of Manhattan, was granted by the Board March 25, 1924, on certain conditions; and

WHEREAS, William R. Altman, for One Jumel Place, Incorporated, owner, filed April 22, 1940, an application under sections 7i and 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of the garage from garage use to motor vehicle repair shop; and

WHEREAS, this application was reopened November 8, 1939, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Edgecombe avenue is in a residence, business and unrestricted use district; Jumel place is in a business and unrestricted use district; West 167th street and Amsterdam avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated March 21, 1940, reads:

"With reference to your application dated March 7, 1940 for a certificate of occupancy for motor vehicle repair shop at the above premises, you are advised that this occupancy is not permitted as resolution of the Board of Standards and Appeals, Cal. 278-24-BZ permits a garage for more than five motor vehicles only. Your application is therefore denied."

and

WHEREAS, the existing building is two stories in height, of Class 3 construction, with a frontage of 164 ft. 9 in. on West 167th street, 30 ft. 4 in. on Jumel place and 118 ft. on

Edgecombe avenue, irregular, in area; it is proposed to use part of the second story of the existing garage for more than five (5) motor vehicles as a motor vehicle repair shop; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted March 25, 1924, as amended by its resolution approving plans February 8, 1924, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the vehicular entrances be restricted to Jumel place; that there be no door opening on Edgecombe avenue; any windows on Edgecombe avenue front shall have sills at least 6 ft. above sidewalk level and shall be equipped with fixed sash, glazed with translucent glass, with one ventilator to each sash; that all windows on 167th street shall be glazed with translucent glass; that no entrance other than emergency openings not exceeding 3 ft. 8 in. in width be permitted on 167th street; that the fronts of street elevations shall be finished with face brick of light buff color with architectural terra cotta or stone trimmings; that the front elevations of the building shall be of attractive architectural design; the architect to make a return to this Board for approval as to design of the elevation before submitting working drawings to the Bureau of Buildings.

Resolved further, that the drawings returned to the Board for examination, in compliance with the requirements of this resolution, are hereby approved.

Resolved further, that motor vehicle repairing may be permitted under section 7i of the building zone resolution, on condition that the repairing shall be confined to the central portion of the second story facing 167th street, as indicated on revised plan marked 'Received December 4, 1940'; that such repair work shall be carried on mainly with hand tools and with no motor-driven equipment requiring motor power of more than one-half horsepower; that there shall be no anvils or forges employed and no heavy work straightening chassis or fenders; that such portable fire-fighting equipment shall be maintained as the fire commissioner shall direct; that any permits that may be required for the use of acetylene or other equipment shall be subject to permits as may be issued by the fire commissioner; that such additional use shall continue only so long as the building is not increased further in height or area and that the space herein permitted to be used shall not be increased and shall comply with the requirements."

1321-39-BZ.

APPLICANT—Anna Weschler, (lessee), for Bernard Flood, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Weschler.

For Opposition: J. C. Murray.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

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THE RESOLUTION—

(1321-39-BZ)

WHEREAS, Anna Weschler (lessee), for Bernard Flood, owner, filed October 26, 1939, an application under sections 7h and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue and Union street are in business and residence use districts; 38th avenue and Bowne street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 7188, dated September 27, 1939, reads:

"The use of these premises as a parking lot for more than five motor vehicles in a business district and extending into a residence district is contrary to Article 2, Section 3 and 4 'a', subdivision 15 of the Building Zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 51 ft. and a depth of 190 ft.; the rear portion of the plot extends into the residence use district for a distance of 90 ft. while the remainder of the plot is in a business use district; upon the front of the plot there is located a frame dwelling; it is proposed to use the balance of the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary term of two (2) years from the date of this resolution, to permit the portion of the premises unbuilt upon toward the rear to be occupied for the transient parking of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that the ground shall be leveled and surfaced with clean gravel, steam cinders or other suitable material, properly rolled and bound; that proper substantial fencing shall be maintained on the side lot line at all times; that no signs shall be erected on the premises during the term of this permit, except there may be a sign at the entrance advertising the transient parking use and the rates charged, provided such sign does not extend beyond the building line and does not exceed 15 sq. ft. in area; that during the term of this permit the premises shall be used for no other use than the transient parking herein permitted and for the residential use in the building; that any lights for general illumination shall be equipped with metal reflectors and so arranged as to reflect toward the center of the premises and away from the adjoining residential occupancies; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

260-40-BZ.

APPLICANT—Paul Carchiolo and Nils Jensen (lessees), for Sadie Rosen, owner

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7i of the build-

ing zone resolution, to permit on the business use portion of a plot, located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—5501-5513 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Murray Saks and Paul Carchiolo.

For Opposition: Milton Fischer, T. H. Glick, Lee Fein, Adella Fish, Sidney Millsten, Harold Klorfein, Department of Parks, and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(260-40-BZ)

WHEREAS, Paul Carchiolo and Nils Jensen (lessees), for Sadie Rosen, owner, filed March 5, 1940, an application under section 7i of the building zone resolution, to permit on the business use portion of the plot, located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 5501-5513 18th avenue, southeast corner of 55th street (Block No. 5494, Lot No. 29), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 18th avenue is in a business and residence use district; 55th street and 56th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 5458-1939, dated February 7, 1940, reads:

"1. Proposed change of occupancy of present one story metal building from automobile painting shop to automobile repair shop is contrary to Art. II, Sec. 4, subd. 29 of the Zone Resolution as the plot is located partly in a business use and partly in a residential use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 167 ft. on 18th avenue and 112 ft. on 55th street; the north part of the plot extends into the residence use district while the remainder of the plot and the building in question are in the business use district; upon the central portion of the the 18th avenue frontage of the plot there is located a one-story metal building 30 ft. by 50 ft. in area; it is proposed to occupy this building as a motor vehicle repair shop; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision i, of the building zone resolution, to convert the occupancy of the existing building to a motor vehicle repair shop.

Resolved, that the decision of the borough superintendent of buildings, on Application No. 5458-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

402-40-BZ.

APPLICANT—Lama and Proskauer, for Clifford E. Mills, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7c of the building zone resolution, to permit in a residence

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use F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler-room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station.

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(402-40-BZ)

WHEREAS, Lama and Proskauer, for Clifford E. Mills, owner, filed April 16, 1940, an application under section 7c of the building zone resolution, to permit in a residence use F area district the erection and maintenance of a building to be used as a gas station, auto laundry, lubritorium, office and boiler-room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station; premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block No. 4517, Lot No. 1 and part of Lot No. 3), Springfield, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that South Conduit boulevard, North Conduit boulevard, Sunrise highway, 144th drive and Farmers boulevard are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 9509-40, dated May 17, 1940, and as amended June 19, 1940, reads:

"4. The proposed erection of a building to be used as a gas station, auto laundry, lubritorium, office and boiler room in a residence 'F' district, in conjunction with a gasoline selling station, which use according to Fire Department records was discontinued and permit from Fire Department, Bureau of Combustibles permitted to lapse on Oct. 4, 1938, is contrary to Art. 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of property, consist of an irregularly shaped plot of ground having a frontage of 78.4 ft. on South Conduit boulevard, 99.8 ft. on Farmers boulevard and 81.4 ft. on 144th drive; upon the plot there is a two-story and attic frame dwelling, two grease pits, a small frame building, a small frame shed and five (5) 550-gallon gasoline storage tanks; it is proposed to remove these structures and tanks and to erect upon the site a one-story building, 41 ft. by 25 ft. in area, to be used as office, auto laundry and lubritorium and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, under section 7c thereof, to permit the legally existing gasoline service station to be rearranged and reconstructed, substantially in ac-

cordance with revised plans marked "Received December 7, 1940," with a frontage of 78.38 ft. on South Conduit avenue and 43 ft. on Farmers boulevard, *on condition* that the premises shall be filled and graded substantially to the grade of these streets and that the gasoline station shall be arranged substantially as shown on such plans; that a retaining wall shall be constructed toward the east and south and carried to a point at least 1 ft. above the grade of the lot and with a wooden fence erected thereon, in accordance with the design submitted; that such fence shall be approximately 4 ft. in height and shall be kept painted; that the accessory building shall be toward the southeasterly corner of the premises and shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board and that the roof is surfaced with natural slate shingles; that the exterior of the building shall be constructed of face brick and kept unpainted; that the boiler-room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the greasing equipment shall be of the hydraulic lift type; that the planting areas shall be maintained, as indicated, protected with concrete curbs not less than 6 in. in width and 6 in. in height; that all pumps erected shall be not nearer than 12 ft. to either building line, otherwise generally located as shown on plans marked "Received December 7, 1940"; that storage tanks shall consist of four, with a capacity of 550 gallons each, complying with the requirements therefor; that the balance of the premises, where not occupied by accessory building, pumps and planting shall be cement paved or paved with Colprovia or other suitable impervious material; that entrances to the premises shall be restricted to one to Farmers boulevard with curb cut not over 35 ft. in width and two to South Conduit boulevard with curb cuts not over 25 ft. in width each; that no part of any curb cut shall be nearer than 5 ft. to the lot line as prolonged; that signs shall be restricted to permanent signs attached to the accessory building and the illuminated globes of the pumps, excluding all roof and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign, which may be illuminated, advertising solely the brand of gasoline on sale; that such signs shall also be approved by the Park Department; that the landscaping shall also be as approved by the Park Department; that the design of the pumps shall have masonry pedestals and shall be of a design as approved by the Park Department for use on parkways; that during the term of this permit the premises shall be occupied for no other use than that herein permitted; that there shall be no parking of cars other than those being serviced on the premises; that there shall be no automobile repairing carried on; that there shall be no portable gasoline pumps used on or from the premises; that such fire-fighting appliances shall be maintained as the fire commissioner shall direct; that complete working plans shall be filed for approval by the chairman in behalf of the Board prior to filing same with the borough superintendent of buildings; that all permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

416-40-BZ.

APPLICANT—William Sambur, for Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan.

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APPEARANCES—

For Applicant: Rose Sambur, Alfred W. Roberts, Jr., Bruce Somers and Solomon Roshevsky.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(416-40-BZ)

WHEREAS, William Sambur, for Central Hanover Bank and Trust Company, owner (Harry Wolinsky, lessee), filed April 22, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of the first story of an existing building to a motor vehicle repair shop; premises 135 West 52nd street, north side, 325 ft. east of Seventh avenue (Block No. 1005, Lot No. 14), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 52nd street is in a business-1 and retail-1 use district; West 53rd street is in a business and retail use district; Seventh avenue is in a retail-1 and retail use district; Sixth avenue is in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 933-40, dated March 27, 1940, reads:

"The use of premises located within a business district as an automobile repair shop is contrary to Section 4, subd. a-29 of the Building Zone Resolution."

and

WHEREAS, the building is of Class 3 construction, 25 ft. front by 90 ft. deep, three stories in height; it is proposed to occupy the first story of the existing building as a motor vehicle repair shop with the upper stories to be used as offices; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 933-40, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

521-40-BZ.

APPLICANT—Abraham Saul, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use and E area district the maintenance of an extension at the rear of the second story of an existing dwelling, which extension does not comply with the E area requirements.

PREMISES AFFECTED—1818 East 29th street, west side, 126 ft. south of Avenue R (Block No. 6834, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: William H. Saul.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(521-40-BZ)

WHEREAS, Abraham Saul, owner, filed May 15, 1940, an application under section 21 of the building zone resolution, to permit in a residence use and E area district the maintenance of an extension at the rear of the second story of an existing dwelling, which extension does not comply with the E area requirements; premises 1818 East 29th street, west side, 126 ft. south of Avenue R (Block No. 6834, Lot No. 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 29th street, East 28th street and Avenue R are in residence use and E area districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4586-40, dated May 13, 1940, reads:

"8. Proposed extension of building in rear of 2nd floor increases the area to more than 30% of area of plot as permitted by Zone Resolution Art. IV, par. 15(c) for residential E area district. Above application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 22 ft. and a depth of 100 ft., upon which there is located a two-story and basement Class 3 dwelling 18 ft. by 42 ft. in area; there has been erected at the rear of the second story of the building an extension 22 ft. by 6 ft. in area; the area of the building on the first story complies with E area requirements but the extension on the second story exceeds the permissible 30 per cent. area of the plot by 96 sq. ft.; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant was entitled to temporary relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the building shall not be further increased in height or area and shall comply with the requirements of the building zone resolution in all other respects, as well as all other laws, rules and regulations applicable thereto and so long as the house shall be continued as a residence for not more than two families.

1016-40-BZ.

APPLICANT—Theodore R. Feinberg, for Kauffman Lowenthal Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store).

PREMISES AFFECTED—649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

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THE RESOLUTION—

(1016-40-BZ)

WHEREAS, Theodore R. Feinberg, for Kauffman Lowenthal Realty Company, owner, filed October 23, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of an existing building to business use (store); premises 649 Water street, south side, 266 ft. 8 in. east of Gouverneur Slip (Block No. 243, Lot No. 106), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 10, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Water street, Front street, Jackson street and Gouverneur Slip are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 2867-40, dated September 26, 1940, reads:

"1. A store in a residence district contrary to Section 3, Article 2, Building Zone Resolution."

and
WHEREAS, the existing building is of non-fireproof construction, 16 ft. 8 in. front, 70 ft. deep and three stories in height; it is proposed to alter and to convert the occupancy of the first story of the existing building to business use (store), with the upper stories to be vacant; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Application No. 2867-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 12:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 10, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

51-30-BZ.

APPLICANT—William S. Worrall, Jr., for Cord Meyer Development Company, owner.

SUBJECT—Application for consideration—reopening and extension of area and use—re Application (decision of the borough superintendent of buildings), under sections 7g and 21 of the building zone resolution, permitting, partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and, also, the installation of a gasoline service station.

PREMISES AFFECTED—112-19 Queens boulevard, north side, 108 ft. 7 $\frac{3}{8}$ in. east of 112th street (Block No. 2264, Lot No. 73), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William S. Worrall, Jr.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief McCarthy 4
Negative 0

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

SUBJECT—Application for consideration—reopening and reconsideration on basis of new facts (previously denied—re extension of permit)—re Application (decision of the commissioner of buildings) granted on condition November 9, 1937, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William A. Eckert.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

SUBJECT—Application for consideration—reopening and reconsideration on basis of new facts (previously denied—re extension of permit)—re Application (decision of the commissioner of buildings) granted on condition November 9, 1937, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23 $\frac{1}{2}$ and 28), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William A. Eckert.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

155-39-BZ.

APPLICANT—Herman Kron, for Tenement Renovation Contracting Company, Incorporated, and Carpenters Equity, Incorporated, owners (Salvatore Lane, lessee).

SUBJECT—Application for consideration—restoration to Calendar—(previously dismissed for lack of prosecution)—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit, partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—145-157 Cherry street, south side, 51 ft. west of Market Slip (Block No. 250,

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Lot Nos. 67 to 73, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

552-38-BZ.

APPLICANT—Milton B. Weissman, for Berbond Garage Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under sections 7c and 21 of the building zone resolution, permitting, partly in an unrestricted use district and partly in a residence use district and B area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

APPEARANCES—

For Applicant: Milton B. Weissman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(552-38-BZ)

WHEREAS, W. J. Cherry, for Antur Holding Corporation, c/o N. Y. State Banking Dept. (Bank of U. S.), owner, filed June 28, 1938, an application under the building zone resolution, to permit, partly in an unrestricted use district and partly in a residence use district and B area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard; premises 777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx; and

WHEREAS, this application was granted by the Board November 9, 1938, on certain conditions, the time to obtain permits and complete the work extended October 10, 1939, and applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 9, 1938, only so far as it refers to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required shall be obtained and all work involved completed within one (1) year from the date of this amended resolution.”

415-40-BZ.

APPLICANT—Andrew A. Marjey, for Borough Hall Holding Corporation, owner.

SUBJECT—Application reopened September 17, 1940, for consideration—re amendment of resolution—re Application (decision of the borough superintendent of buildings); (previously granted on condition under section 7c of the building zone resolution), permitting, partly in a business use district and partly in a residence use district, the erection and

maintenance of a business building (stores on first story and offices on second story).

PREMISES AFFECTED—124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Andrew A. Marjey.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(415-40-BZ)

WHEREAS, this application, to permit, partly in a business use district and partly in a residence use district, under section 7c of the building zone resolution, the erection and maintenance of a business building (stores on first story and offices on second story), premises 124-17 Queens boulevard and 125-02 82nd avenue, northeast corner (Block No. 9654, Lot Nos. 6, 12, 14 and 15), Kew Gardens, Borough of Queens, was granted by the Board July 16, 1940, on certain conditions; and

WHEREAS, Andrew A. Marjey, for Borough Hall Holding Corporation, owner, requested amendment of the resolution; and

WHEREAS, this application was reopened by vote of the Board September 17, 1940, and set for hearing October 1, 1940; and

WHEREAS, this application was placed on the Reserve Calendar October 1, 1940, subject to further consideration by the Board, upon request of the applicant; and

WHEREAS, the applicant requested on November 27, 1940, that this application be further considered by the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 16, 1940, by adding thereto:

“that the additional decision of the borough superintendent of buildings, No. 2, dated August 21, 1940, is hereby modified and that the application be and it hereby is granted, varying the requirements of section 19h of the building zone resolution, on condition that the design of the proposed building shall be substantially in accord with the revised plans marked ‘Received November 29, 1940’; that the facade of the building on Queens boulevard and 82nd avenue shall be constructed of stone and brick, as indicated, with a sloping portion of the roof of natural slate and the balance of the roofdeck surfaced with approved roofing materials; that the show windows shall be subdivided into small panes, as shown; that the northerly section of the frontage of approximately 27 ft. shall be occupied for office purposes with no display of merchandise; that the next sections southerly, consisting of two double stores or four single stores, may be occupied for merchandise or offices, precluding a delicatessen shop, fish or meat market, undertaker’s parlor or a bake shop having ovens on the premises; that the section at the corner having a frontage of approximately 60 ft. on 82nd avenue may be occupied as a restaurant or for other use having no display windows on 82nd avenue; that any windows installed shall have the sills thereof not less than 4 ft. above grade; that no restriction of occupancy is herein intended for any space wholly facing Queens boulevard; that signs facing on 82nd avenue shall be restricted to signs in the panels directly over the shop show windows and such signs shall be non-illuminated and shall not extend beyond the building line; that no signs on any part of the building facing 82nd avenue shall be illuminated or extended beyond the building line and no temporary or roof signs shall be displayed; that any awnings installed on 82nd avenue shall have no wording or advertising of any nature; that the lot line wall to the north shall

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be faced with face brick for a distance easterly from 82nd avenue of approximately 40 ft. and no windows shall be constructed in this interior lot line wall for its full depth, except there may be constructed openings filled with glass block approved for use in exterior lot line walls; that in all other respects the requirements of the resolution adopted on July 16, 1940, and as amended herein shall be complied with, and in all other respects the requirements of the building zone resolution and all other laws, rules and regulations applicable thereto shall be complied with; that all permits required shall be obtained and all work involved completed within one (1) year from the date of this *amended resolution*."

APPEALS FROM ADMINISTRATIVE DECISIONS.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Harry Berlin and L. Meinwald.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Placed on Reserve Calendar.

821-40-A.

APPLICANT—Samuel Rosenblum, for Fanny Leon, owner (Joe's Automotive Electric Service, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—436 West 57th street, south side, 350 ft. east of 10th avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 14, 1941, at 2 P.M., to permit applicant to examine records in Board's possession.

849-40-A.

APPLICANT—Frances L. Harris, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Frances L. Harris.

For Administration: Fred Dahlem, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to January 21, 1941, at 2 P.M., for further consideration and inspection by the Board.

1078-40-A.

APPLICANT—Brown and Matthews, Incorporated, for Long Island Railroad Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

APPEARANCES—

For Applicant: H. G. Matthews.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 17, 1940, at 2 P.M., pending information from borough engineer.

1142-40-A.

APPLICANT—G. B. Higgins, for Viking Sprinkler Company, Incorporated, for Sears, Roebuck and Company, lessee and owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: George B. Higgins and Allen E. Hendricks.

For Administration: Morris Hannes, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to December 17, 1940, at 2 P.M., for applicant to file copy of approval by New York Fire Insurance Exchange.

1300-39-A.

APPLICANT—A. F. Meissner, for Rev. George D. Sherman, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—84-05 78th avenue, northeast corner of 84th street (Block No. 3840, Lot No. 24), East Glendale, Borough of Queens.

APPEARANCES—

For Applicant: A. F. Meissner.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

676-40-A.

APPLICANT—Allan S. Harrison, for New York City Housing Authority, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by East 102nd street to East 105th street and between First avenue and East River drive (Block Nos. 1696, 1697 and 1698), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley and Geo. E. Strehan.

ACTION OF BOARD—Appeal reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(676-40-A)

WHEREAS, this appeal from a decision of the acting borough superintendent of buildings, premises blocks bounded by East 102nd street, First avenue, East River drive and East 105th street (Block Nos. 1696, 1697 and 1698), Borough of Manhattan, was granted by the Board July 2, 1940, and the owner requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 2, 1940, so that as amended the resolution shall read:

"Granted on condition that the incinerator door shall be of the type as submitted by the Parker Manufacturing Company, as filed under Cal. No. 902-40-SM, which has been satisfactorily tested as an opening protective assembly for a fire-resistive rating of one hour (Protexol Report No. 103); that the incinerator door as tested shall incorporate changes as follows: 'Closing of door to be obtained by using a two-pound counterweight, secured by welding or riveting to the hopper, so as not to be removed, and two springs of 12 gauge oil-tempered steel, 1 3/8 in. by 3/4 in. size, such springs to be protected from the heat of the incinerator shaft by at least 1/4 in. of metal-covered asbestos around the exposed side of the box in the incinerator shaft; that the frame mounting in the wall be separated from the masonry by at least 1/8 in. of asbestos extending to all outside edges of the frame; that the incinerator door hinges be redesigned so as to provide secure fastening to preclude removal of the door except for repair or replacement; that a small enamel sign having white letters on a red background be secured to the door reading 'Keep Closed,' letters in such sign to be at least 1/2 in. in height.'"

APPLIANCES SUBMITTED FOR APPROVAL.

1042-40-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, Duo-Therm Division, owner.

SUBJECT—Duo-Therm Circulating Heaters, Models 902 and 952, approval of.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1042-40-SA)

WHEREAS, William V. McDevit, for Motor Wheel Corporation, Duo-Therm Division, owner, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Duo-Therm Circulating Heaters, Models 902 and 952; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 9, 1940.

Re: Cal. No. 1042-40-SA.

Subject: Duo-Therm Circulating Heaters, Models 902 and 952, approval of.

William V. McDevit, for Motor Wheel Corporation

of Lansing, Michigan, Duo-Therm Division, filed October 30, 1940, an application with the Board of Standards and Appeals for the approval of the Duo-Therm Circulating Heaters, Models 902 and 952, under the provisions of C19-57.0, Administrative Building Code, and the Oil Burner Rules of the Board of Standards and Appeals.

These heaters were inspected by a committee of the Board consisting of Commissioner Blum and Chief Engineer Huber at 17 New Chambers street, New York, on November 29, 1940. The heaters consist of a chrome steel vaporizing bowl in which is mounted a perforated No. 20 gauge steel cylinder with sloping sides in which is located a baffle plate. Openings in this cylinder permit the entrance of air into the burner. At the top of the cylinder there are a series of auxiliary air valves to insure complete combustion.

The Models 902 and 952 are installed in a circulating heater cabinet with proper flue connection and are equipped with five-gallon gravity feed tank. The difference between Models 902 and 952 is in the size of the fire pot; that of Model 952 is 2 in. larger than Model 902. The oil flow for Model 902 is three-eighths gallon per hour and Model 952 is one-half gallon per hour.

Between the tank and the outer side of the heater cabinet there is installed the necessary shield to allow adequate circulation of air so that the temperature in tanks is not raised appreciably by the operation of the burner.

The models are equipped with automatic products: Constant Level and Metering Valves Type 240 DR, 240-EDR, 240-TL or Detroit Lubricator CRC-236. Each tank at bottom is also equipped with a valve for completely shutting off the supply of oil to the burner. The heaters have necessary flue connections and are equipped with draft adjuster dampers. A power air attachment with 1/40 horsepower Sirocco type fan delivering 250 cubic feet of air per minute. The burners are lighted normally.

These burners were tested under operating conditions and it was found that the automatic float valves did not permit any excessive oil to flow to the burner either under operating conditions or when the burner was not lighted and the oil supply turned on.

The heaters have been approved by the Underwriters' Laboratories, File No. 40 C 2464, Misc. Pet. 651.

On the basis of the foregoing inspection and data, the Committee recommends that Duo-Therm Circulating Heaters, Models 902 and 952, be approved for use with fuel oil not heavier than No. 2 or No. 3 U. S. Department of Commerce standards in domestic and commercial installation having a chimney draft not less than 0.04 in. water column and that each installation shall include the following requirements:

1. The device must have a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1042-40-SA."

2. Floor beneath the oil burning device shall be protected by a 1/2 in. asbestos or other equivalent shield extending at least 12 in. beyond the outline of the device.

3. Only approved safety cans shall be used for the storage and filling of oil containers.

4. The device shall be protected by a suitable flue pipe to a legal chimney. The flue pipe is to be provided with a suitable stack check to nullify down draft.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

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and
WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Duo-Therm Circulating Heaters, Models 902 and 952, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1043-40-SA.

APPLICANT—William V. McDevit, for Motor Wheel Corporation, Duo-Therm Division, owner.

SUBJECT—Duo-Therm Water Heater, Model No. 16, approval of.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1043-40-SA)

WHEREAS, William V. McDevit, for Motor Wheel Corporation, Duo-Therm Division, owner, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Duo-Therm Water Heater, Model No. 16; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 9, 1940.

Re: Cal. No. 1043-40-SA.

Subject: Duo-Therm Water Heater, Model No. 16, approval of.

William V. McDevit, for Motor Wheel Corporation, of Lansing, Michigan, Duo-Therm Division, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the Duo-Therm Water Heater, Model No. 16, under the provisions of C19-57.0, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals.

This unit was inspected and tested by a committee of the Board consisting of Commissioner Blum and Chief Engineer Huber at 15 New Chambers street on November 29, 1940. This unit consists of a hot water boiler having a burner unit as an integral part thereof. It is designed for use with a standard 275-gallon gravity tank and the burner unit itself is the same as described in Cal. No. 1041-40-SA.

The level of the oil in the burner is maintained by means of an Automotive Products No. 240 Constant Level and Metering Valve or Detroit Lubricator Constant Level Valve with autoflowing device CR C 236.

When the water in the boiler reaches a predetermined temperature the flame of the burner is covered by a thermostat manufactured by the company when the bulb in the boiler expands it depresses a needle valve which decreases the supply of oil and intensity of the flame in the boiler.

The unit has been approved by the Underwriters' Laboratory, Application No. 40C 2464 Misc. Pet. 404.

On the basis of the inspection and the foregoing data, the Committee recommends that the Duo-Therm Water Heater, Model No. 16, be approved for domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standard, when installed in accordance with the Oil Burner Rules and provided that each burner shall bear a label permanently

affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1043-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Duo-Therm Water Heater, Model No. 16, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL.

673-38-SM.

APPLICANT—Johns-Manville Sales Corporation, owner.

SUBJECT—Johns-Manville One-Hour Fire Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

861-39-SM.

APPLICANT—Edison Cement Corporation, owner.

SUBJECT—Edison "Portland-Plus" Portland Cement, approval of.

APPEARANCES—

For Applicant: E. A. Scott.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(861-39-SM)

WHEREAS, Edison Cement Corporation, owner, filed June 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Edison "Portland Plus" Portland Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

December 5, 1940.

Cal. No. 861-39-SM.

Re: Edison "Portland Plus" Portland Cement.

On June 27, 1939, Edison Cement Company of New Village, New Jersey, filed an application for the approval of Edison "Portland Plus" Portland Cement for use in New York City, pursuant to Section C26-312.0 c-1 of the Administrative Code.

The process of manufacture is as follows: The raw materials, consisting essentially of cement rock and limestone, are shipped into the plant from the local cement rock quarry and company-owned limestone quarry located at Oxford, New Jersey. In addition to this, sand

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stone containing about 92% SiO₂, is purchased outside and received by rail.

All these materials are sent through Edison rolls, which reduce the rock to 1½" down to a powder. At the discharge point the crushed rock is then placed in separate bins in Rock Stock House. After a day's run, either of the materials is then transferred to two other bins, thereby insuring uniformity at the time of withdrawal. These finishing bins hold about a week's supply of rock. Limestone, cement rock and sand are then removed from these bins and carefully weighed in proportions to obtain a predetermined chemical composition of raw materials.

The discharge from the scales consisting of combined limestone, cement rock and sand, passes through dryers, after which it is subjected to additional crushing by passing through three Allis-Chalmers gyratory crushers in closed circuit. The discharge from these crushers then finds its way into hoppers above six compeb mills. The fineness of the raw mix is controlled at this point. The powdered raw material is then conveyed to four 1,000-ton bins in the Chalk Stock House. Two of these bins are filled with a raw material somewhat higher in CaO content than desired. The other two bins contain a lower CaO value than required for the finished mix. Both types of raw mix are then carefully proportioned by being weighed by continuous weighing Merrick scales. One of these scales weighs the high lime material while the other weighs the low lime material.

The discharge from these scales then enters a mixing screw, is subsequently conveyed to an elevator, and then placed in the boxes above the kilns. After burning, the clinker receives a forty-eight hour storage in the clinker yard, and is then crushed by passing through a set of Edison rolls. This crushing device also has a screen return system. Gypsum is added by an automatic scale to the clinker on its way to the hoppers above the finishing compeb mills. After grinding to the desired fineness the cement reaches the cement storage bins.

In the manufacture of Edison "Portland Plus" Portland Cement, less than 1% of a complex, organic compounded marketed under the trade name of T.D.A., manufactured by the Dewey & Almy Chemical Co., Cambridge, Mass., is added. This is essentially a grinding aid and dispersing agent. The equivalent of .25 lbs. of solid T.D.A. per barrel of cement produced is added in a 15% water solution (15% T.D.A. — 85% water) at the feed mills.

The controls of the manufacturing process are as follows: The chemical composition of the mix is corrected at various points in the manufacturing process. A continuous sampler is operated in the stream of raw mix leaving the tube mills and going to the high and low lime bins in the Chalk Stock House. A continuous sampler is operated where the mix goes from the scales after proportioning the high and low line raw mix to the kiln hoppers. A clinker sample is taken from each kiln every hour, averaged, and a lime control made so that clinkers falling outside of the CaO range can be eliminated from the stream. Such clinker (falling above or below the required CaO range) is placed in refuse piles and fed back into subsequent grindings when required to balance the CaO content thereof.

A continuous sampler is operated after the cement leaves the finishing compeb mills. At this point, the amount of gypsum to be added is controlled.

Flow sheets have been filed, indicating the manufacturing process.

Samples of this cement were taken and tests conducted in the presence of a representative of the Committee on Tests at the applicant's laboratory at New Village, N. J., with the following results:

PHYSICAL TESTS.

	As Tested	ASTM C-9-38	FED. SPEC. SS-C-191-A
Specific Surface (CM ² GM)	1991	1500	
Soundness	OK	Sound	Sound
Initial Set (Gilmore)	3 hrs. 25 min.	Min. 60 min.	Min. 60 min.
Final Set (Gilmore)	5 hrs. 35 min.	Max. 10 hrs.	Max. 10 hrs.
Compressive Strength (Av. of 6 spec. P.S.I.)			
Age 3 days	1755		900
" 7 "	2705		1800
" 28 "	3444		3000
Tensile Strength (Av. of 6 spec. P.S.I.)			
Age 3 days	289		175
" 7 "	342	275	275
" 28 "	410	350	350
Autoclave	.269%	—	—

CHEMICAL ANALYSIS.

	As Tested	ASTM C-9-38	FED. SPEC. SS-C-191-A
SiO ₂	20.32%	—	
Al ₂ O ₃	6.15	—	7.50
Fe ₂ O ₃	3.21	—	6.00
CaO	63.24	—	—
MgO	3.40	5.0	5.00
SO ₃	1.88	2.0	2.00
Loss on Ignition	1.64	4.0	3.00
Insoluble Residue	.50	0.85	0.75

CALCULATED COMPOUNDS

Tricalcium Silicate	51.7
Tricalcium Aluminate	10.9
Dicalcium Silicate	19.4
Tetracalcium Aluminoferrite ...	9.8

This cement is marketed in cloth and paper bags and in bulk.

There is a sufficient supply of consistently homogeneous raw materials available for at least 30 years at the present rate of manufacture.

On the basis of the foregoing data, it is recommended that Edison "Portland Plus" Portland Cement as manufactured by the applicant at New Village, New Jersey, be approved for use in New York City as a cement pursuant to section C-26-312.0 c-1 (7.1.1.7.3 c,1) of the Administrative Code, on condition that the bags be marked, labeled or stamped "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 861-39-SM" and when shipped in bulk that its bill of lading be similarly marked and that monthly mill test reports, signed by the applicant's chief chemist, be filed with the Board. The Board reserves the right to order retests of this material at any time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Edison "Portland Plus" Portland Cement, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

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1114-39-SM.

APPLICANT—National Gypsum Company, owner.

SUBJECT—National Gypsum Company Hydrated Finishing Lime, under trade names of Gold Bond, Rockwall, Clip-On and, also, Hydrated Masons and Quick Lime, under trade names of Gold Bond, Palmer, Rockwall and Big Yield, approval of.

APPEARANCES—

For Applicant: H. Z. Jones.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1114-39-SM)

WHEREAS, National Gypsum Company, owner, filed September 11, 1939, an application with the Board of Standards and Appeals for approval of the material known as the National Gypsum Company Gold Bond and Rockwall Hydrated Finishing Limes, Gold Bond, Palmer, Rockwall and Big Yield Hydrated Masons and Quicklimes; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 6, 1940.

Re: Cal. No. 1114-39-SM.

Subject: The National Gypsum Company Gold Bond and Rockwall Hydrated Finishing Limes, Gold Bond, Palmer, Rockwall and Big Yield Hydrated Masons and Quicklimes, approval of.

The National Gypsum Company, of Buffalo, New York, filed an application on September 11, 1939, with the Board of Standards and Appeals for the approval of their material as listed above under C26-312 a, b (7.1.1.7, 1-2) and C26-313 (7.1.1.8.1), Administrative Building Code.

Gold Bond and Rockwall Hydrated Finishing Limes are manufactured at Luckey, Ohio, from a very pure dolomite limestone. Gold Bond, Palmer, Rockwall and Big Yield Hydrated Masons and Quicklimes are manufactured at York, Pennsylvania, and Oranda, Virginia, from very pure high calcium limestone.

The deposits of limestone at these places insure an available supply for from seventy-five to well over one hundred years.

At all these plants the kilns are shaft kilns and the stone is hand picked so that nothing but clean and properly sized stone can get into the kilns. The size of the stone varies from 3 to 10 in.

In the kilns the temperature averages approximately 2,000 degrees Fahrenheit. The kilns are drawn every four hours. After the lime comes from the kiln it is hand picked to remove any material fire stained or otherwise faulty. Samples are taken and analyses are made to insure complete conversion of the kiln stone to lime. Slaking tests are made to determine whether the lime is properly burned. All the mills are equipped with hammer mills and sieve tests are made on the pulverized and ground quicklimes to insure that sizing is correct.

Raymond mills are used at all plants for grinding the hydrated lime.

On hydrated lime samples, analyses are made to determine that the right amount of water has been added and sieve tests are made to insure its being ground to the proper fineness.

All these tests are made at regular intervals daily as often as necessary to insure uniform quality at every point.

At the Luckey, Ohio, plant, where Hydrated Finishing Lime is manufactured, tests at regular intervals during the day are made to determine the plasticity of

the putties made from the hydrated lime produced at that plant.

The hydrated lime is packed in fifty-pound paper bags. The pulverized and ground quicklime is packed in eighty-pound bags and in 180-pound and 280-pound barrels.

Samples of these materials were submitted to tests at the Pittsburgh Testing Laboratory, Report Nos. NY-40891, NY-40892, NY-40893, NY-40894, NY-49916, NY-29999, NY-39915, NY-39917-8, filed with the application. The results of these tests are as follows:

Gold Bond Hydrated Finishing Lime Manufactured at Luckey, Ohio.

	A.S.T.M. C-6-31	SS-L-351 Type F	Pitt. Test. Lab. Rep. No. 29999 Test Results
Calcium and Magnesium Oxides ..	95. Min.	95. Min.	99.7%
Carbon Dioxide (non-volatile basis)	5. Max.	5. Max.	.2
Fineness retained on No. 30 mesh	.5 Max.	.5 Max.	.0
Fineness retained on No. 200 mesh ...	15. Max.	15. Max.	7.5
Soundness	Sound	Sound	Sound
Plasticity	200.	200.	266.5

The applicant's plant at the present is being equipped to manufacture lime to meet the requirements of revised 1940 F.S.S.-L-351 Type F.

Masons Hydrated Lime Manufactured at Oranda, Virginia.

	A.S.T.M. C-6-31	SS-L-351 Type M	Pitt. Test. Lab. Rep. No. 39917-8 Test Results
Calcium and Magnesium Oxides (non-volatile basis)	95. Min.	95. Min.	98.66%
Carbon Dioxide (non-volatile basis)	5. Max.	5. Max.	.55
Fineness residue on No. 30 sieve	5. Max.	5. Max.	.0
Fineness residue on No. 200 sieve ...	15. Max.	15. Max.	1.5
Soundness	No popping No disin- tegration	No popping No disin- tegration	No popping No disin- tegration

Masons Hydrated Lime Manufactured at York, Pennsylvania.

	A.S.T.M. C-6-31	SS-L-351 Type M	Pitt. Test. Lab. Rep. No. 40891-2 Test Results
Calcium and Magnesium Oxides (non-volatile basis)	95. Min.	95. Min.	97.85%
Carbon Dioxide (non-volatile basis)	5. Max.	5. Max.	1.51
Fineness Residue on No. 30 sieve	.5 Max.	.5 Max.	.05
Fineness Residue on No. 200 sieve ...	15. Max.	15. Max.	5.10
Soundness	No popping No disin- tegration	No popping No disin- tegration	Sound

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Pulverized Quicklime *Manufactured at Oranda, Virginia.*

	<i>A.S.T.M.</i>	<i>Fed.</i>	<i>Pitt. Test.</i>
	<i>C-5-34-T</i>	<i>Spec.</i>	<i>Lab. Rep.</i>
	<i>Calcium</i>	<i>SS-Q-351</i>	<i>Test</i>
	<i>Type</i>	<i>Type C</i>	<i>Results</i>
Calcium Oxide (CaO)	75. Min.	75. Min.	97.55%
Calcium and Magnesium Oxides ..	95. Min.	95. Min.	98.07
Silica, Alumina and Iron Oxides	5. Max.	5. Max.	.63
Carbon Dioxide	3. Max.	3. Max.	.20
Percentage of Residue	15. Max.	15. Max.	None
Soundness	Sound	—	Sound

Ground Quicklime *Manufactured at York, Pennsylvania.*

	<i>A.S.T.M.</i>	<i>Fed.</i>	<i>Pitt. Test.</i>
	<i>C-3-34-T</i>	<i>Spec.</i>	<i>Lab. Rep.</i>
	<i>SS-Q-351</i>	<i>Test</i>	
	<i>Type C</i>	<i>Results</i>	
Calcium Oxide (CaO)	75. Min.	75. Min.	97.55%
Calcium and Magnesium Oxides ..	95. Min.	95. Min.	98.49
Silica, Alumina and Iron Oxides	5. Max.	5. Max.	.60
Percentage of Residue	15. Max.	3. Max.	.1
Soundness	Sound	—	Sound
Carbon Dioxide	3. Max.	3. Max.	.46

The chemical determinations are on a non-volatile basis.

On the basis of the foregoing data, it is recommended that the National Gypsum Company Gold Bond and Rockwall Hydrated Finishing Limes, Gold Bond, Palmer, Rockwall and Big Yield Hydrated Masons and Quicklimes be approved for use in New York City pursuant to section C26-312a, b (7.1.1.7, 1-2) and C26-313 (7.1.1.8.1.) when maintained to the specifications contained herein, on condition that monthly mill test reports from each mill, certified by the applicant's chemists, be filed with the Board and that all bags and barrels be tagged, labeled or marked: "Approved for use in New York City by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. No. 1114-39-SM."

LUMP QUICKLIME FOR FINISH COAT.

1. Quicklime when slaked must be brought to boiling point so as to bring out plasticity and cementing strength.
2. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
3. When action has stopped, to prevent cracking, add white sand at the rate of 1 cubic foot to 280 pounds of lime, and then run slaked putty through mesh or finer screen to remove coarse grit or overburned lime.
4. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.
5. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.
6. Store for two weeks before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

7. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 parts Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

GRANULAR AND PULVERIZED QUICKLIME FOR FINISH COAT.

1. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
2. Place in a ratio of 20-25 gallons of clean water to eighty pounds of lime in a water-tight box. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.
3. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.
4. Store for at least seventy-two hours before using, keeping the putty well covered to prevent drying and protect against frost action.
5. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

SLAKED QUICKLIME FOR SCRATCH COAT.

1. While the quicklime is slaking and immediately before completion of slaking, distribute hair or fibre at the rate of 2 pounds to each 100 pounds of lime uniformly by thorough hoeing before adding any sand. Clean, sharp sand shall be added at the rate of two parts of sand to one part of putty.
2. Store for two weeks before using, and protect against drying and frost action.

QUICKLIME FOR BROWN COAT.

1. Same as for scratch coat, using slightly less hair and adding sand at the rate of three parts to one part of putty by volume.
2. Store for at least two weeks before using.

ALL QUICKLIMES FOR MASONRY.

1. Same precaution to be used as for quicklime for finish coat, excepting that the putty may be used after storage for at least 48 hours with no addition of hair or screening.

HYDRATED LIME FOR FINISH COAT.

1. Add the lime to the water, not the water to the lime.
2. Put the required amount of water (5 to 6½ gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.
3. Store for at least 24 hours prior to using.
4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

HYDRATED LIME FOR MASONRY MORTAR.

1. As this is already slaked, put required amount of

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water in the water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity of dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the National Gypsum Company Gold Bond and Rockwall Hydrated Finishing Limes, Gold Bond, Palmer, Rockwall and Big Yield Hydrated Masons and Quicklimes, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1309-39-SM.

APPLICANT—William E. Gambrill and Company, owner.
SUBJECT—Gambrill Counterbalance Bi-Parting Fire Door for Opening in Vertical Freight Shaft, approval of.
APPEARANCES—

For Applicant: D. E. Gambrill.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(1309-39-SM)

WHEREAS, William E. Gambrill and Company, owner, filed October 25, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Gambrill Counterbalance Bi-Parting Fire Door for Opening in Vertical Freight Shaft; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

May 24, 1940.

Re: Cal. No. 1309-39-SM.

Subject: Gambrill Counterbalance Bi-Parting Fire Door for Opening in Vertical Freight Shaft, approval of.

William E. Gambrill and Company, of 213-221 East street, Baltimore, Maryland, filed October 25, 1939, an application with the Board of Standards and Appeals for approval of the Gambrill Counterbalance Bi-Parting Fire Door for Opening in Vertical Freight Shafts under the provisions of C26-633.0-b (10.8.4.2) and C26-610.0 (10.1.18).

A sample hereinafter described was manufactured under the supervision of an inspector of the Underwriters' Laboratories at the applicant's plant at Baltimore, Maryland, and consisted of a metal clad pass type counterbalanced elevator door in two equal sized panels with guides counterbalancing and locking mechanism and movable lintel.

The panels are offset so as to permit sliding past each other of door sections which move vertically in guides. The sections lap at the middle of the opening

and are counterbalanced by means of chains, rods and pulleys placed on the shaft side of the elevator opening. The sections have a 3 in. lap at the top and 2 in. at bottom of the shaft opening. In the closed position the two halves engage at the middle and are constrained at the wall by wall guides. The movable lintel at the top of the upper panel section closes the space between the upper section and the shaft wall. The door is manually operated by handle in combination with a latch which keeps it closed, when opening the two half sections, simultaneously upward and downward respectively, and conversely when closing. Ease of operation is obtained by counterbalancing the half sections. This unit was made in a size to fit an opening 10 ft. high and 8 ft. wide with details as shown in Figure 1, consisting of angles as shown with the main angle secured to wall by $\frac{3}{8}$ in. through bolts 18 in. o.c. The angle sections are secured as shown with slotted holes and to prevent upper section from falling, a stop is provided at the center. In describing the construction of the lower and upper sections in view of the fact that the Board is not making a recommendation on the lower half, its description is not included.

The upper half consisted of a panel metal covered terne plate construction on the fire side, with metal clad flush type No. 24 gauge galvanized construction on the unexposed side, and mounted $1\frac{3}{4} \times 1\frac{3}{4} \times \frac{3}{16}$ in. angle panel frame secured by $\frac{1}{4}$ in. bolt filled with two-ply T. & G. wood case $\frac{25}{32}$ in. each of seasoned non-resinous wood with grain running in opposite directions, formed at seams with an interlocking construction, which, however, after test specimen was dismantled, was found improperly constructed in that there was no interlocking effected between the sheets. To provide ventilation so as to permit the escape of gases due to carbonization of wood, a circular hole 4 in. in diameter is provided in the center of the upper half section which is covered with metal and secured to core around the edges with nails $1\frac{1}{4}$ in. in length, spaced not less than 2 in. on centers.

The meeting edge was constructed as shown in Figure 1 (B) with an astragal and trucking sill as shown therein. A glass observation panel 100 sq. in. in area was provided as shown, with $\frac{1}{4}$ in. clear wired glass. A latch was provided on the lower section elevation with locking mechanism as shown on assembly detail. The counterbalancing mechanisms consisted of a No. 6 chain secured to the rod arm and to the chain clip on each half section, the chain passing over a sheave. The panel guide angles are as shown on Figure 1 (D) and each vertical edge of upper and lower sections is provided with an angle secured by $\frac{1}{4}$ in. rivets 12 in. o.c. in slotted holes. A guide shoe is provided adjacent to upper and lower edge of panel. The upper section is provided with a movable lintel, where floor heights are not sufficiently high to allow doors to operate in line.

The frame was supported on $2\frac{1}{2} \times 2\frac{1}{2} \times \frac{3}{16}$ in. angles attached to masonry by $\frac{3}{8}$ in. through bolts spaced 36 in. on center excepting for the four center bolts which were spaced approximately 15 in. on centers; all holes were slotted.

The foregoing test sample was subjected to a fire test in accordance with the standard temperature for one and one-half hours after which it was subjected to a thirty-pound hose stream for one minute and fifteen seconds.

The record of furnace temperatures indicate that the curve was within the tolerance of 5 per cent. as provided in C26-580.0 (10.1.5.2), Administrative Building Code, and the unexposed temperatures at the end of forty-five minutes were 1,415 degrees Fahrenheit at top thermo couple, 270 degrees Fahrenheit at center thermo couple and 1,215 degrees Fahrenheit at bottom thermo couple. The high temperature of the two extreme couples was due to the fact that they were placed over or very near the points on the door where the ventila-

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tion holes were provided on the exposed face, and accordingly gave readings based on only the *terne* plate thickness between the fire and the unexposed thermo couple. The thermo couple located at the midpoint gave a value which was indicative of the temperature of the unexposed surface of the entire test specimen except for those portions of the unexposed surface which were influenced by the burning of the gases emanating from these vent holes. If the type of ventilation is considered satisfactory, the test must be accepted and inasmuch as this is the accepted method of ventilating this type of door, it would be obvious that the midpoint thermo couple must be relied on for guidance as to the true unexposed side of door temperatures. Tests on similarly vented doors performed by the Board indicate results comparable to that of the thermo couple at the midpoint of the unexposed surface.

Slight smoke due to paint appeared at two minutes and at two and one-half minutes. Smoking occurred along the edges of the panel which continued until the wood gases ignited on exposed face after seventeen minutes and diminished as the test progressed. During the early stages of the test slight flaming appeared in the two upper corners but in general the smoke and flaming which were visible was deemed inconsequential by the Committee. The passage of flame around an elevator shaft is of less importance than flame passage around a door hung in a fire wall. In order that flame may pass by way of the shaft from one floor to another or from one fire section to another the resistance afforded by the two doors separated by the distance from floor to floor must be overcome. It is also improbable that combustible material will be so located as to ignite with such a slight passage of flame. In actual installations of doors in elevator shafts the natural flue action existing in such shafts would be of sufficient intensity so as to preclude even a slight flaming. The passage of flame along the edges of the panel was due in part to faulty seams in the metal covering and the applicant is to take precautions so as to obviate this objection. The temperature 32 in. away from the unexposed surface was 248 degrees Fahrenheit at sixty minutes and 293 degrees Fahrenheit at ninety minutes and flammable materials (gauze and burlap) placed 32 in. away from unexposed surface of door did not ignite as the temperature was below the ignition point of these combustible materials.

During the fire exposure there was a uniform bulge at the center of the door towards the fire, assuming a maximum of 1½ in. at about eighty-five minutes after the start of the test. The door remained in its mounting during and after the fire and hose stream tests. The average heat transmission of the door on the unexposed side was 820 degrees Fahrenheit at the end of forty-five minutes; the room temperature was 70 degrees Fahrenheit; actual rise in temperature was 750 degrees Fahrenheit, which was not overly high considering the accelerated and high temperatures of the two thermo couples located nearly over the vent holes.

These tests were conducted on the door at the Underwriters' Laboratories, Incorporated, Chicago, Illinois, on October 28, 1940 (Report No. 38C2853A filed herewith) and witnessed by a committee of the Board consisting of Commissioner Charles M. Blum, Chief Engineer Leslie V. Huber and Hugh P. Fox. The tests were in accordance with the requirements of Group 5 and Group 18, Sub. Art. 1 of Article II, Administrative Building Code titled "Fire Resistive Materials" and were in conformity with the standard time-temperature curve. No passage of flame through the door or smoke in significant amount occurred during the one and one-half hours of fire exposure, although slight flames appeared at intervals.

On the basis of the foregoing data, the Committee recommends the approval of the Gambrell Counterbalance Bi-Parting Fire Door, shown in Figure 1, for

opening in vertical shafts for one and one and one-half hours, but not in required exit passageways, when manufactured and of a size in accordance with the specifications provided herein, under C26-663.0,b (10.8.4.2) and C26-610.0 (10.1.18), Administrative Building Code. Larger sizes of this door may be permitted in accordance with the permissive provisions of the Administrative Building Code.

The Committee further recommends that all opening protective assemblies manufactured under this approval shall comply in all respects including labeling as provided in the Rules of the Board for the Inspection of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Gambrell Counterbalance Bi-Parting Fire Door for Opening in Vertical Freight Shaft, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

52-40-SM.

APPLICANT—Manhattan Terrazzo Brass Strip Company, Incorporated, owner.

SUBJECT—Manhattan Dividing Strips for Terrazzo and Concrete Floors, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4
Negative 0

THE RESOLUTION—

(52-40-SM)

WHEREAS, Manhattan Terrazzo Brass Strip Company, Incorporated, owner, filed January 17, 1940, an application with the Board of Standards and Appeals for approval of the material known as Manhattan Dividing Strips for Terrazzo and Concrete Floors; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 6, 1940.

Re: Cal. No. 52-40-SM.

Subject: Manhattan Dividing Strips for Terrazzo and Concrete Floors, approval of.

The Manhattan Terrazzo Brass Strip Company, Incorporated, New York City, filed January 17, 1940, with the Board of Standards and Appeals an application for approval of its material under section C26-178.0,b (2.1.2.5,b) of the Administrative Building Code.

This material, known as Manhattan Dividing Strips, is made in a variety of forms in brass, in white alloy zinc and in nickel silver and is used as stripping with terrazzo finishes and with cement floor finishes as floor accessories and as base beads and corners. The brass stripping contains 65 per cent. copper and 35 per cent. zinc, the nickel silver 64 per cent. copper, 21 per cent. zinc, 15 per cent. nickel and the white alloy zinc, 99.5 per cent. zinc and .5 per cent. mixture of cadmium, lead

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and iron.

The products manufactured for use in New York are as follows:

Manhattan No. 10—This is a brass dividing strip $\frac{3}{4}$ in. wide and 20 B & S gauge thick with curved anchors punched in same, approximately 9 in. on center and between each anchor are punched six circular holes from $\frac{3}{8}$ in. to $\frac{1}{2}$ in. in diameter.

Manhattan No. 11—Identical to No. 10 except $\frac{7}{8}$ in. wide.

Manhattan No. 12—Identical to No. 10 except 1 in. wide.

Manhattan No. 13—Identical to No. 10 except $1\frac{1}{4}$ in. wide.

Manhattan No. 14—Identical to No. 10 except $1\frac{1}{2}$ in. wide.

Manhattan No. 15—Identical to No. 10 except 1 in. wide and 19 gauge thick.

Manhattan No. 16—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 19 gauge thick.

Manhattan No. 17—Identical to No. 10 except $\frac{3}{4}$ in. wide and 18 gauge thick.

Manhattan No. 18—Identical to No. 10 except 1 in. wide and 18 gauge thick.

Manhattan No. 19—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 18 gauge thick.

Manhattan No. 20—Identical to No. 10 except $1\frac{1}{2}$ in. wide and 18 gauge thick.

Manhattan No. 21—Identical to No. 10 except $\frac{3}{4}$ in. wide and 16 gauge thick.

Manhattan No. 22—Identical to No. 10 except 1 in. wide and 16 gauge thick.

Manhattan No. 23—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 16 gauge thick.

Manhattan No. 24—Identical to No. 10 except $1\frac{1}{2}$ in. wide and 16 gauge thick.

Manhattan No. 25—Identical to No. 10 except $\frac{3}{4}$ in. wide and 14 gauge thick.

Manhattan No. 26—Identical to No. 10 except 1 in. wide and 14 gauge thick.

Manhattan No. 27—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 14 gauge thick.

Manhattan No. 28—Identical to No. 10 except $1\frac{1}{2}$ in. wide and 14 gauge thick.

Manhattan No. 29—Identical to No. 10 except 1 in. wide and 12 gauge thick.

Manhattan No. 30—Identical to No. 10 except $1\frac{1}{8}$ in. wide and 12 gauge thick.

Manhattan No. 31—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 12 gauge thick.

Manhattan No. 32—Identical to No. 10 except $1\frac{1}{2}$ in. wide and 12 gauge thick.

Manhattan No. 33—Identical to No. 10 except 1 in. wide and 11 gauge thick.

Manhattan No. 34—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 11 gauge thick.

Manhattan No. 35—Identical to No. 10 except 1 in. wide and 10 gauge thick.

Manhattan No. 36—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 10 gauge thick.

Manhattan No. 37—Identical to No. 10 except 1 in. wide and 9 gauge thick.

Manhattan No. 38—Identical to No. 10 except $1\frac{1}{4}$ in. wide and 9 gauge thick.

Manhattan No. 39—Identical to No. 10 except 1 in. wide and $\frac{1}{8}$ in. gauge thick.

Manhattan No. 40—Identical to No. 10 except $1\frac{1}{4}$ in. wide and $\frac{1}{8}$ in. gauge thick.

Manhattan No. 41—Identical to No. 10 except $1\frac{1}{2}$ in. wide and $\frac{1}{8}$ in. gauge thick.

Manhattan No. 42—Identical to No. 10 except 1 in. wide and $\frac{3}{16}$ in. gauge thick.

Manhattan No. 43—Identical to No. 10 except $1\frac{1}{4}$ in. wide and $\frac{3}{16}$ in. gauge thick.

Manhattan No. 44—Identical to No. 10 except $1\frac{1}{2}$ in. wide and $\frac{3}{16}$ in. gauge thick.

Manhattan No. 45—Identical to No. 10 except 1 in. wide and $\frac{1}{4}$ in. gauge thick.

Manhattan No. 46—Identical to No. 10 except $1\frac{1}{4}$ in. thick and $\frac{1}{4}$ in. gauge thick.

Manhattan No. 47—Identical to No. 10 except $1\frac{1}{2}$ in. wide and $\frac{1}{4}$ in. gauge thick.

Manhattan No. 101—This is a nickel silver dividing strip $1\frac{1}{4}$ in. wide and 20 B & S gauge thick with curved anchors punched in same, approximately 9 in. on center and between each anchor are punched six circular holes from $\frac{3}{8}$ in. to $\frac{1}{2}$ in. in diameter.

Manhattan No. 102—Identical to No. 101 except 18 gauge thick.

Manhattan No. 103—Identical to No. 101 except 16 gauge thick.

Manhattan No. 104—Identical to No. 101 except 14 gauge thick.

Manhattan No. 105—Identical to No. 101 except 12 gauge thick.

Manhattan No. 106—Identical to No. 101 except $\frac{1}{8}$ in. thick.

Manhattan No. 107—Identical to No. 101 except $\frac{3}{16}$ in. thick.

Manhattan No. 108—Identical to No. 101 except $\frac{1}{4}$ in. thick.

Manhattan No. 201—This is a white alloy zinc dividing strip 1 in. wide and 18 B & S gauge thick with curved anchors punched in same, approximately 9 in. on center and between each anchor are punched six circular holes from $\frac{3}{8}$ in. to $\frac{1}{2}$ in. in diameter.

Manhattan No. 202—Identical to No. 201 except $1\frac{1}{4}$ in. wide.

Manhattan No. 203—Identical to No. 201 except 16 gauge thick.

Manhattan No. 204—Identical to No. 201 except $1\frac{1}{4}$ in. wide and 16 gauge thick.

Manhattan No. 205—Identical to No. 201 except 14 gauge thick.

Manhattan No. 206—Identical to No. 201 except $1\frac{1}{4}$ in. wide and 12 gauge thick.

Manhattan No. 207—Identical to No. 201 except 12 gauge thick.

Manhattan No. 208—Identical to No. 201 except $1\frac{1}{4}$ in. wide and 12 gauge thick.

Manhattan No. 209—Identical to No. 201 except $\frac{1}{8}$ in. thick.

Manhattan No. 210—Identical to No. 201 except $1\frac{1}{4}$ in. wide and $\frac{1}{8}$ in. thick.

Manhattan No. 211—Identical to No. 201 except $1\frac{1}{4}$ in. wide and $\frac{3}{16}$ in. thick.

Manhattan No. 212—Identical to No. 201 except $1\frac{1}{4}$ in. wide and $\frac{1}{4}$ in. thick.

Manhattan No. 301—This is a brass angle strip $\frac{1}{4}$ in. x $\frac{3}{8}$ in. x 20 gauge thick with nail holes punched approximately every 4 in.

Manhattan No. 302—Identical to No. 301 except $\frac{5}{16}$ in. x $\frac{1}{2}$ in. wide.

Manhattan No. 303—Identical to No. 301 except $\frac{1}{2}$ in. x $\frac{1}{2}$ in. wide.

Manhattan No. 304—Identical to No. 301 except $\frac{3}{8}$ in. x $\frac{3}{8}$ in. wide and 18 gauge thick.

Manhattan No. 305—Identical to No. 301 except $\frac{3}{8}$ in. x $\frac{5}{8}$ in. wide and 18 gauge thick.

Manhattan No. 306—Identical to No. 301 except $\frac{5}{8}$ in. x $\frac{5}{8}$ in. wide.

Manhattan No. 401—This is a heavy top brass dividing strip manufactured by attaching to Manhattan No. 10 an extruded L shaped brass rod with hollow eyelets spaced about 3 in. apart. This rod has a $\frac{1}{2}$ in. overall width, is $\frac{1}{4}$ in. thick for $\frac{1}{4}$ in. of this $\frac{1}{2}$ in. width and .04 in. thick for the remaining $\frac{1}{4}$ in. of the overall width.

Manhattan No. 402—Identical to No. 401 except that where No. 401 is $\frac{1}{8}$ in. thick, No. 402 is $\frac{3}{16}$ in. thick.

Manhattan No. 403—Identical to No. 401 except that extruded brass rod is $\frac{1}{4}$ in. thick for $\frac{1}{4}$ in. of the

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overall width and 1/16 in. thick for the remaining 1/4 in. of the overall width.

Manhattan No. 404—This is a heavy top brass dividing strip made by attaching to Manhattan No. 10 an extruded brass tee in the same manner as No. 401. This brass tee has a horizontal leg 3/8 in. x 3/8 in., and a vertical leg 1/4 in. x 1/16 in.

Manhattan No. 405—Identical to No. 404 except that the brass tee has a horizontal leg 1/2 in. x 1/4 in.

Manhattan No. 411—This is a heavy top white alloy zinc dividing strip made by attaching Manhattan No. 201 to an extruded L shaped zinc rod, in the same manner as No. 401. This rod is 1/2 in. wide, is 1/8 in. thick for 1/4 in. of this overall width and 1/16 in. thick for the remaining 1/4 in. of width.

Manhattan No. 412—Identical to No. 411 except that it is 3/16 in. thick where No. 411 is 1/8 in. thick.

Manhattan No. 413—Identical to No. 411 except that it is 1/4 in. thick where No. 411 is 1/8 in. thick.

Manhattan No. 414—This is a heavy top white alloy dividing strip manufactured by attaching to a 3/8 in. x 3/8 in. zinc rod a 3/4 in. x 1/4 in. x 18 B & S gauge zinc angle with drive screws about 3 in. apart.

Manhattan No. 415—Identical to No. 414 except that the zinc bar is 1/2 in. x 3/8 in.

Manhattan No. 421—This is a heavy top nickel silver strip made by attaching to Manhattan No. 201 an extruded L shaped nickel silver rod in the same manner as No. 401. This nickel silver rod is 1/2 in. wide, 1/8 in. thick for 1/4 in. of this width and .04 in. thick for the remaining 1/4 in. of width.

Manhattan No. 422—Identical to No. 421 except that nickel silver rod is 3/16 in. thick for 1/4 in. of width and 1/16 in. thick for remaining 1/4 in. of width.

Manhattan No. 423—Identical to No. 422 except that it is 1/4 in. where No. 422 is 3/16 in. thick.

Manhattan No. 424—Identical to No. 414 except that rod is nickel silver.

Manhattan No. 425—Identical to No. 415 except that rod is nickel silver.

Manhattan No. 501—This is a heavy top brass edging strip manufactured by attaching to Manhattan No. 10 an extruded irregular tee shaped brass rod with hollow eyelets spaced 3 in. apart.

Manhattan No. 503—Identical to No. 501 except that rod is slightly different in detail.

Manhattan No. 512—This is a heavy top white alloy edging strips manufactured by attaching to Manhattan No. 201 an extruded irregular tee shaped zinc rod in the same manner as No. 501.

Manhattan No. 514—Identical to No. 512 except the rod is slightly different in detail.

For use with the above materials, cove dividers which conform to the shape in which they are to be installed are manufactured in all of the gauges previously listed, as well as the heavy top thicknesses previously listed.

Flush and protecting type base beads are made by attaching to a 24 U. S. gauge galvanized steel tee with a 1 1/2 in. horizontal leg and a 3/8 in. vertical leg, a strip of brass or zinc varying in thickness from 20 gauge to 1/2 in. and in width from 1/2 in. to 2 1/4 in.

On the basis of the data furnished by the applicant and an examination of samples of the material submitted for approval, which indicates that the material is sufficiently resilient to take required bending and that satisfactory anchorage is provided, the Committee recommends approval of Manhattan Dividing Strips and accessory products, as described herein for permissive use, under section C26-178.0, b (2.1.2.5, b), Administrative Building Code. All surfaces of the material shall be cleaned of oil so as to permit a good bond with the floor finish and the spacing of the material shall be such as to avoid the creation of slippery conditions.

It is further recommended that all materials used under this approval be stamped, labeled or marked as

follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 52-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Manhattan Dividing Strips for Terrazzo and Concrete Floors, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

430-40-SM.

APPLICANT—American Lime Products Company, owner.
SUBJECT—Hi-Power Brand Masons Hydrated Lime, Red Seal Masons Pulverized Water-Proof Quicklime, Bulldog Pulverized Quicklime, Thomasville Masons Lump, Pulverized and Pebble-Sized Quicklime, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief Mc-
Carthy 4

Negative 0

THE RESOLUTION—

(430-40-SM)

WHEREAS, American Lime Products Company, owner, filed April 24, 1940, an application with the Board of Standards and Appeals for approval of the material known as Hi-Power Brand Masons Hydrated Lime, Red Seal Masons Pulverized Water-Proof Quicklime, Bulldog Pulverized Quicklime, Thomasville Masons Lump, Pulverized and Pebble-Sized Bulk Quicklime; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 28, 1940.

Re: Cal. No. 430-40-SM.

Subject: Hi-Power Brand Masons Hydrated Lime, Red Seal Masons Pulverized Water-Proof Quicklime, Bulldog Pulverized Quicklime, Thomasville Masons Lump, Pulverized and Pebble-Sized Bulk Quicklime, approval of.

On April 24, 1940, an application was filed by American Lime Products Company, 122 East 42nd street, New York City, for the approval of Hi-Power Brand Hydrated Lime, Red Seal Pulverized Water-Proof Quicklime, Bulldog Pulverized Quicklime and Thomasville Lump, Pulverized and Pebble-Sized Bulk Quicklime as manufactured by Thomasville Stone and Lime Company at Thomasville, Pennsylvania, for use in New York City pursuant to section C26-312.0 (7.1.1.7.1) of the Administrative Code.

The manufacturing processes are as follows:

Material of proper kiln stone size is hand picked and loaded into Dempster-Dumpster trucks which dump into a bin in the floor of the quarry, from which it is loaded into skip-cars and hauled by a hoist over an industrial track direct to the kilns.

The kilns consist of fourteen 11 ft. x 37 ft. shaft kilns, hand fired. The lime passes into the coolers on the lower floor from which it is drawn. Kiln temperatures

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are checked at regular intervals by an optical pyrometer to maintain a temperature of approximately 2,400 degrees to 2,500 degrees.

The lime after being drawn from the kilns is hand picked and impurities as well as unburnt or overburnt lime are removed.

Lime to be hydrated or made into pulverized lime is fed into a Butterworth & Lowe gyratory crusher and transferred by elevator to a continuous Clyde Hydrator for the hydrated lime and is passed by a screw conveyor into an Allis Chalmers Pulverator for the pulverized lime. Lump lime is also fed into this same crusher which breaks it down to a product $\frac{1}{4}$ in. x $\frac{5}{8}$ in. in size which is sold in bulk as Thomasville Pebble Lime.

The controls of the manufacturing processes are as follows:

Analysis of these materials are made in the applicant's laboratory every two or three days. The quicklime samples are taken during the loading of the car, and this sample is thoroughly mixed, from which one pound is taken for testing purposes. The hydrate sample is taken direct from the nozzle of the packing machine after being thoroughly mixed in the hydrator bin.

Calcium stearate is added as a waterproofing agent to the Bulldog Masons Pulverized Quicklime at the packing machine.

Samples of these materials were taken at the plant of the Thomasville Stone and Lime Company, Thomasville, Pennsylvania, by representatives of the Committee on Tests and forwarded to Cornell University for test and report. The results of these tests are as follows:

PHYSICAL TEST.

HI-POWER BRAND HYDRATED LIME.

	<i>As Tested</i>	<i>A.S.T.M.</i> C-6-31
Residue—% Retained on No. 30 M. Screen	0.00	Not more than 0.5%
Residue—% Retained on No. 200 M. Screen	1.17	Not more than 15%
Soundness	Sound	Sound

CHEMICAL ANALYSIS.

HI-POWER BRAND HYDRATED LIME.

	<i>As Tested</i>	<i>A.S.T.M.</i> C-6-31
Loss in Ignition	24.02%	
Calcium Oxide	95.8%	Min. 95% combined
Magnesium Oxide	3.5%	
Carbon Dioxide	0.015%	Max. 5%

RED SEAL PULVERIZED WATER-PROOF QUICKLIME.

	<i>As Tested</i>	<i>A.S.T.M.</i> C-5-26
Calcium Oxide	93.4%	Min. 75
Magnesium Oxide	5.7%	
Calcium and Magnesium Oxides	99.1%	Min. 95
Silica	1.23%	
Alumina and Iron Oxides ..	0.44%	
Silica, Alumina and Iron Oxides	1.67%	Max. 5
Carbon Dioxide	0.002%	Max. 3

BULLDOG PULVERIZED QUICKLIME AND THOMASVILLE LUMP, PULVERIZED AND PEBBLE-SIZED BULK QUICKLIME.

	<i>As Tested</i>	<i>A.S.T.M.</i> C-5-26
Calcium Oxide	94.1%	Min. 75
Magnesium Oxide	4.4%	
Calcium and Magnesium Oxides	98.5%	Min. 95

Silica	0.81%	
Alumina and Iron Oxides ..	0.43%	
Silica, Alumina and Iron Oxides	1.24%	Max. 5
Carbon Dioxide	0.025%	Max. 3

The applicant has filed a copy of Report No. 212050, dated January 20, 1940, by the Pittsburgh Testing Laboratory showing the plasticity of Bulldog Pulverized Quicklime as 600 (Emley).

The Hi-Power Brand Masons Hydrated Lime is packed in fifty-pound paper bags. The Red Seal Water-proof Quicklime is packed in eighty-pound bags.

The Bulldog Pulverized Quicklime is packed in 80-pound paper bags, 180-pound and 280-pound barrels and is also shipped in bulk. The Thomasville Pulverized and Pebble-Sized Bulk Quicklime is shipped only in bulk.

On the basis of the foregoing data, it is recommended that Hi-Power Brand Masons Hydrated Lime, Red Seal Pulverized Water-Proof Masons Quicklime, Bulldog Pulverized Quicklime, Thomasville Lump, Pulverized and Pebble-Sized Bulk Masons Quicklime be approved for use in New York City pursuant to section C26-312.0 of the Administrative Code, on condition that all bags be stamped, labeled or marked, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 430-40-SM," and when shipped in bulk its bill of lading shall be similarly marked, and that monthly mill test reports signed by the applicant's chief chemist be filed with the Board.

It is further recommended that in using these materials precautions shall be taken during the slaking.

LUMP QUICKLIME FOR FINISH COAT.

1. Quicklime when slaked must be brought to boiling point so as to bring out plasticity and cementing strength.
2. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
3. When action has stopped, to prevent cracking, add white sand at the rate of one cubic foot to 280 pounds of lime, and then run slaked putty through mesh or finer screen to remove coarse grit or overburned lime.
4. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.
5. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.
6. Store for two weeks before using, keeping the putty well covered to prevent rapid drying and protect against frost action.
7. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keane cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

GRANULAR AND PULVERIZED QUICKLIME FOR FINISH COAT.

1. Add the lime to the water, not the water to the lime, having slaking box half full of water before adding such lime, with total water added at the rate of 60-70 gallons to the barrel of 280 pounds lump lime.
2. Place in a ratio of 20-25 gallons of clean water to 80 pounds of lime in a water-tight box. As boiling starts, hoe lime continuously, adding water and lime until the box is full. Add as much water as needed, but keep the mass thick and creamy. Use water-tight slaking box.

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3. When weather is cold, start slaking action with less water. After boiling has started, add the required quantity of water to properly slake the lime.

4. Store for at least 72 hours before using, keeping the putty well covered to prevent rapid drying and protect against frost action.

5. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keene cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

SLAKED QUICKLIME FOR SCRATCH COAT.

1. While the quicklime is slaking and immediately before completion of slaking, distribute hair or fibre at the rate of two pounds to each 100 pounds of lime uniformly by thorough hoeing before adding any sand. Clean, sharp sand shall be added at the rate of two parts of sand to one part of putty.

2. Store for two weeks before using, and protect against drying and frost action.

QUICKLIME FOR BROWN COAT.

1. Same as for scratch coat, using slightly less hair and adding sand at the rate of three parts to one part of putty by volume.

2. Store for at least two weeks before using.

ALL QUICKLIMES FOR MASONRY.

1. Same precaution to be used as for quicklime for finish coat, excepting that the putty may be used after storage for at least 48 hours with no addition of hair or screening.

HYDRATED LIME FOR FINISH COAT.

1. Add the lime to the water, not the water to the lime.

2. Put the required amount of water (5 to 6½ gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.

3. Store for at least 24 hours prior to using.

4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keene cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

HYDRATED LIME FOR MASONRY MORTAR.

1. As this is already slaked, put required amount of water in water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity of dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this

material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Hi-Power Brand Masons Hydrated Lime, Red Seal Masons Pulverized Water-Proof Quicklime, Bulldog Pulverized Quicklime, Thomasville Masons Lump, Pulverized and Pebble-Sized Bulk Quicklime, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

Adjourned, 4:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on July 23, 1940, as they appeared in Bulletin No. 31, Volume 25, are hereby corrected to read as follows:

THE RESOLUTION—

(638-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 14, 1940.

Re: Cal. No. 638-39-SM.

Subject: Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs, approval of.

Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as Precast Featherweight Nailable Tongue and Groove Concrete Plank for Floor and Roof Construction under the provisions of the Administrative Code as hereinafter provided.

Manufacture.

The planks are manufactured of nailable aerated concrete composed of one part Portland cement and three parts of washed, hard coal steam cinders, screened through a 3/8-inch mesh, by measured volume, with addition of weighed quantities of calcium chloride flakes and foaming compound. The mixture is turned over and aerated in a rotary drum mixer until the resulting wet concrete attains a density of seventy-five pounds per cubic foot as measured in quart samplers from each batch.

The planks are cast on edge in metal moulds and are tongued and grooved on sides and ends. The planks are 2 in. and 2¾ in. thick, 12 in. and 16 in. wide, 9 ft. and 10 ft. 6 in. in length. They are reinforced with cold-drawn welded wire mesh in two layers, adjacent to upper and lower surfaces, spaced 1½ in. apart in the 2 in. plank and 2 in. apart in the 2¾ in. plank, held in position by cross-ties at the junction of the longitudinal and transverse reinforcement, consisting of No. 12 gauge wire secured to the two layers of reinforcement. In one type of plank, Type 4, the reinforcement consists of a single layer of Intermediate Grade deformed steel longitudinal and transverse bars welded at the intersection and placed in the center of the plank. The reinforcement varies in amount with type, span and load and as described herein for each test. The 2¾ in. Type 1A plank was reinforced with an additional transverse rod of No. 8 gauge wire at center of each end.

The planks were manufactured at the Lincoln, New

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Jersey plant of the Federal-American Cement Tile Company, and the tests were conducted at the plant of the company in the presence of the representative of the Committee of the Board at an age of thirty-one to thirty-five days.

Testing.

Control cylinders were cast from each batch of concrete used in the manufacture of the plank and were tested at an age of twenty-eight days, resulting in an average compressive strength of 877 pounds per square inch and a density of *seventy-eight pounds* per cubic foot dry in place.

To determine the strength of plank with four different types of mesh reinforcement and one type of deformed bar reinforcement, tests were made on simple spans of lengths as noted in the test logs, together with a *Master Control Panel Test* of continuous plank, installed as in practice on the maximum span for each type of reinforcement and thickness of plank, as shown in Table No. 1.

All transverse load tests were made with third-point loading, consisting of weighed concrete plank in the Master Control Tests applied on a timber platform to secure balanced concentrations. In the Simple Span Tests, the load was applied through an hydraulic ram with calibrated gauge reading to the nearest twenty-five pounds of gross load applied at third points.

In the Master Control, panels consisting of three equal spans, five or six planks wide, the center span was loaded to its ultimate capacity and the end spans to one-quarter of this amount simultaneously simulating theoretical moment and shear conditions as obtained in continuous construction as shown in Table No. 3.

To compare the effect of continuity, and secure the Conversion Factor to be applied to simple span tests for determination of the relative safe continuous-plank load, the average strength of three simple spans of each specification was used, but in no case was this Adjusted Base taken to exceed five (5) per cent. of any minimum average value of the planned test.

Table 1 gives the Ultimate Test Loads in pounds per square foot of all types and spans tested.

The Conversion factor was taken as the ratio of one-sixth the breaking load for all planks continuous over the supports to one-quarter the breaking load for simple span conditions, to be applied as a constant to the Adjusted Base load of all simple span tests in any group; and as the ratio of one-fifth the breaking load to one-quarter the simple span load with joints over the supports at both ends due to the expected increase in strength of the tongue-and-groove connection.

TABLE 1.

Ultimate Test Loads—Pounds Per Square Foot.

Type	Thick.	Span	Reinforcement Each Layer	Master Control Test	Adjusted Base
1A	2¾ in.	7 ft.	6 No. 7-16 in.	225	197
1	2 in.	7 ft.	7 No. 7-16 in.	—	121
1	2 in.	6 ft.	7 No. 7-16 in.	195	172
1	2 in.	5 ft.	7 No. 7-16 in.	—	245
1	2 in.	4 ft.	7 No. 7-16 in.	—	368
2	2 in.	5 ft.	5 No. 7-16 in.	268	180
2	2 in.	4 ft.	5 No. 7-16 in.	—	343
2	2 in.	3 ft.	5 No. 7-16 in.	—	559
3	2 in.	3 ft.	4 No. 9-16 in.	620	324
3	2 in.	2'8"	4 No. 9-16 in.	—	536
3	2 in.	2 ft.	4 No. 9-16 in.	—	715
4	2 in.	3 ft.	3¾ in.—16 in.	510	238
4	2 in.	2'8"	3¾ in.—16 in.	—	400
4	2 in.	2 ft.	3¾ in.—16 in.	—	706

Table 2 gives a resume of all Master Control Panel Tests in pounds per square foot with corresponding deflections.

TABLE 2.

Master Control Test Loads—Pounds Per Square Foot.

Type	Span	Work Load	Work Deflection	1st Crack Load	1st Crack Deflection	Final Deflection	Fail- ure
1A	7 ft.	45	5/16 in.	105	¾ in.	1¾ in.	225
1	6 ft.	40	9/64 in.	140	11/16 in.	1¾ in.	195
2	5 ft.	54	3/32 in.	188	7/16 in.	1 in.	268
3	3 ft.	105	9/32 in.	272	⅝ in.	1¼ in.	620
4	3 ft.	84	5/64 in.	352	13/32 in.	13/16 in.	510

Table 3 gives a resume of a representative specimen of each type and span of the Minor Simple Span Tests in pounds per square foot.

TABLE 3.

Simple Span Test Loads—Pounds Per Square Foot.

Type	Thick.	Span	Work Load	Ultimate Deflection	Failure	Wt. Per Sq. Ft.
1A	2¾ in.	7 ft.	45	2¾ in.	221	18.0
1	2 in.	7 ft.	30	1¾ in.	117	13.9
1	2 in.	6 ft.	40	1¼ in.	167	13.7
1	2 in.	5 ft.	56	1⅜ in.	245	13.7
1	2 in.	4 ft.	84	1 in.	368	14.0
2	2 in.	5 ft.	54	1⅜ in.	172	13.3
2	2 in.	4 ft.	78	1 in.	343	13.4
2	2 in.	3 ft.	128	1 in.	595	13.4
3	2 in.	3 ft.	105	½ in.	316	13.3
3	2 in.	2'8"	174	¾ in.	583	13.3
3	2 in.	2 ft.	233	⅝ in.	713	13.3
4	2 in.	3 ft.	84	⅞ in.	260	13.5
4	2 in.	2'8"	140	⅝ in.	393	13.7
4	2 in.	2 ft.	248	½ in.	793	13.8

On the basis of this data, the Committee on Tests recommends the approval of the tongue-and-groove planks listed below as meeting the requirements of C26-619.0, Administrative Building Code (10.3.1) for roofs of Class 1 and Class 2 construction where the fire-protective covering is omitted from the roof trusses and purlins as provided in C26-618.0, Administrative Building Code (10.2.8); under C26-620.0-c 1b, Administrative Building Code (10.3.2.3, subdiv. 1.6) as a concrete top slab; under C26-626, Administrative Building Code (10.3.8) for simple and continuous spans as noted, and under C26-670, Administrative Building Code (10.12.1) as a roof slab as provided for therein.

1. 2¾ in. Plank, 12 in. wide by 10 ft. 6 in. long, with six No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft.; Superimposed Load 45 lbs. per sq. ft.

2. 2¾ in. Plank, 12 in. wide by 10 ft. 6 in. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 54 lbs. per sq. ft.

3. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft. Superimposed Load 30 lbs. per sq. ft.

4. 2 in. Plank, 16 in. wide by 7 ft. long, on simple spans only, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 7 ft., Superimposed Load 37 lbs. per sq. ft.

5. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 34 lbs. per sq. ft.

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6. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft. 6 in., Superimposed Load 40 lbs. per sq. ft.

7. 2 in. Plank, 16 in. wide by 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 40 lbs. per sq. ft.

8. 2 in. Plank, 16 in. wide by 9 ft. long, with eight No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 6 ft., Superimposed Load 45 lbs. per sq. ft.

9. 2 in. Plank, 16 in. wide and 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max Span 5 ft., Superimposed Load 56 lbs. per sq. ft.

10. 2 in. Plank, 16 in. wide and 9 ft. long, with seven No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 84 lbs. per sq. ft.

11. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max Span 5 ft., Superimposed Load 54 lbs. per sq. ft.

12. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 4 ft., Superimposed Load 78 lbs. per sq. ft.

13. 2 in. Plank, 16 in. wide by 9 ft. long, with five No. 7 longitudinals top and bottom and No. 11 cross wires 12 in. o.c.—Max. Span 3 ft., Superimposed Load 128 lbs. per sq. ft.

14. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft. 8 in., Superimposed Load 174 lbs. per sq. ft.

15. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft. 8 in., Superimposed Load 174 lbs. per sq. ft.

16. 2 in. Plank, 16 in. wide by 9 ft. long, with four No. 9 longitudinals top and bottom and No. 12 cross wires 16 in. o.c.—Max. Span 2 ft., Superimposed Load 233 lbs. per sq. ft.

17. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—Max. Span 3 ft., Superimposed Load 84 lbs. per sq. ft.

18. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—Max. Span 2 ft. 8 in., Superimposed Load 140 lbs. per sq. ft.

19. 2 in. Plank, 16 in. wide by 6 ft. long, with three Intermediate Grade deformed bars, $\frac{3}{8}$ in. longitudinals and three transverse rods $\frac{1}{4}$ in. 24 in. o.c. alternate—

Max. Span 2 ft., Superimposed Load 248 lbs. per sq. ft.
Note: Span specified is center to center of supporting beams.

The Committee further recommends that all planks be manufactured and installed under the direct supervision of the Federal-American Cement Tile Company, and that this approval be subject to the following design and erection conditions: That cylinders of the cinder concrete mixture develop a minimum compressive strength of 700 pounds per square inch at twenty-eight days and weighing seventy-eight pounds per cubic foot (dry weight); that the concrete be mixed with a water cement ratio of not more than seven gallons of total water to a bag of cement; that the dead weight of plank be placed as 6.5 pounds per square foot per inch of thickness; that if the plank is shipped at an age of between seven and twenty-one days, it shall be manufactured of approved High Early Strength Portland Cement; that each plank have at least two (2) bearing supports; that each plank be secured to each purlin or beam support with approved No. 20 U. S. gauge galvanized steel anchors formed to fit the tongue and groove of the plank and the flange of the beam and nailed in place with six-penny galvanized nails; that all side and end tongue and groove joints be slush grouted in place with Portland cement mortar, and that each plank made for use under this approval be marked as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 638-39-SM", or, in lieu thereof, a stamp bearing the following inscription within a circle, around the periphery at the top, the word "Approved", along the bottom "B.S. & A.", in the center two lines, upper reading, "N.Y.C.", the lower reading, "638-39-SM".

The Committee further recommends that these approvals supersede the spans and loads approved under Cal. No. 465-38-SM for tongue and groove plank of this manufacture.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Precast Featherweight Tongue and Groove Concrete Plank for Use on Floors and Roofs, on condition that the material be manufactured installed, and labeled, stamped or tagged in accordance with above report.

* Correction—"50" changed to "40" in Item 6 of recommendations of Report of Committee on Tests.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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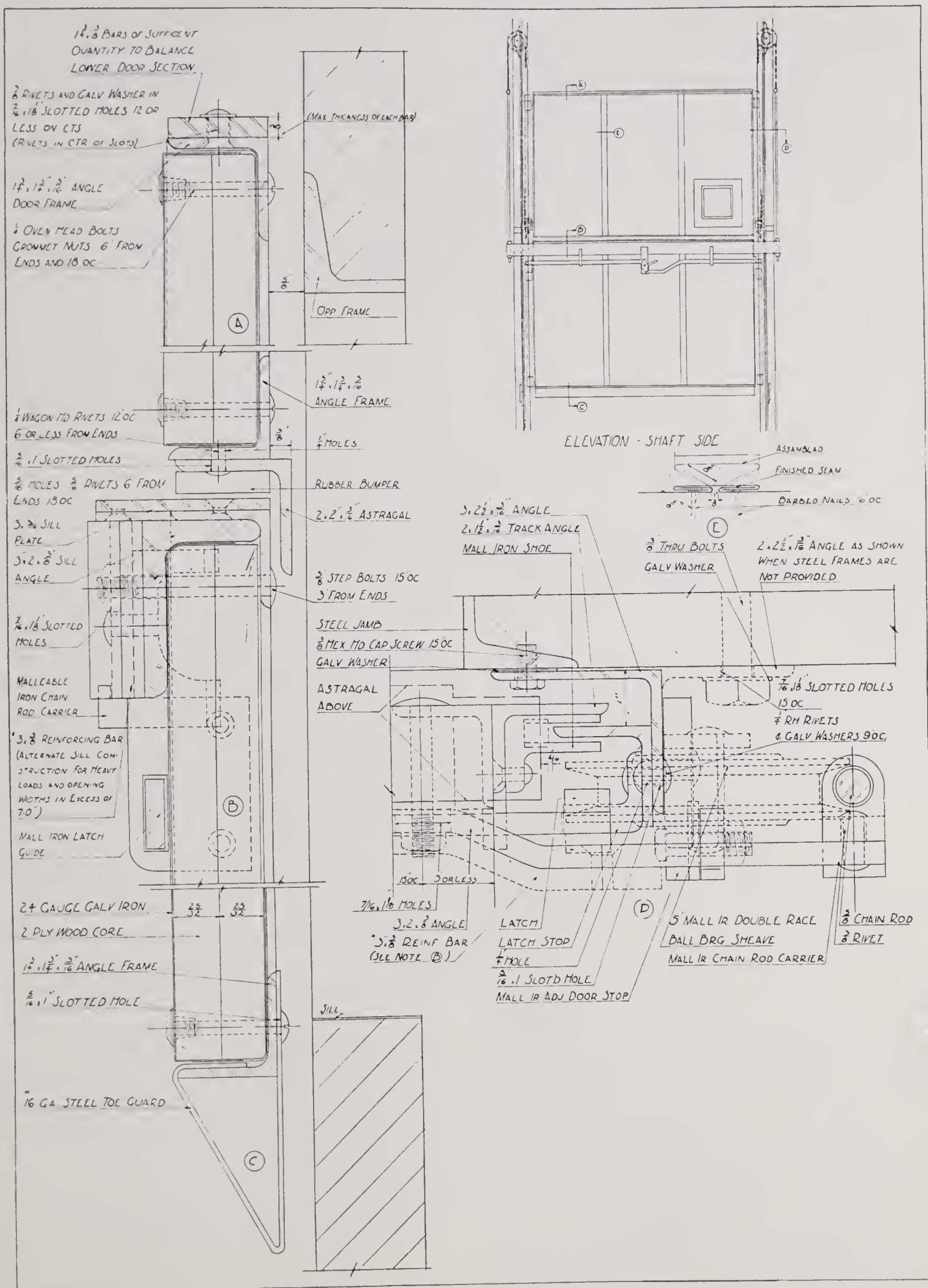


Figure 1 (Cal. No. 1309-39-SM)

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations.

In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCCARTHY
JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
Address all communications to the Chairman.

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Rules for Liquefiers used to convert solid carbon dioxide to a liquid and/or a gas.

PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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DOCKET.

New Cases Filed up to December 17, 1940.

<i>Cal. No.</i>	<i>Department.</i>	<i>Premises Affected.</i>
1165-40-A.....	H.B.Q.....	187-04 and 187-06 Linden boulevard, southeast corner of Montawck street (Long Island Railroad); (Block No. 3163, Lot Nos. 7 and 12), St. Albans, Borough of Queens, Alt. 2848-40.
1166-40-SM.....	G.	M. Call Interceptor Non-Stoppage-Waste Trap, manufactured by G. M. Call Trap Company, Material.
1167-40-BZ.....	H.B.Q.....	50-04 Queens boulevard, south side, 40 ft. east of 50th street, and 45-15 50th street (Block No. 2283, Lot No. 22), Woodside, Borough of Queens, Misc. Applic. 10743-40.
1168-40-A.....	F.D.....	1163-1167 Sixth avenue, west side, 25 ft. 4 in. north of West 45th street, and 103-107 West 45th street (Block No. 998, Lot Nos. 28, 29a, 29b, 30, 31 and 32), Borough of Manhattan, Decision.
1169-40-A.....	H.B.M....	1562 Broadway, east side, 80 ft. 6 in. south of West 47th street (Block No. 999, Lot No. 64), Borough of Manhattan, Alt. 3459-40.
1170-40-BZ.....	H.B.Bx....	1951 East 177th street, north side, 110.33 ft. west of Pugsley avenue (Block No. 3796, Lot Nos. 43, 44 and 45), Borough of The Bronx, N.B. 1254-40.
1171-40-A.....	H.B.B.....	783-821 Lafayette avenue, northwest corner of Sumner avenue (Block No. 1787, Lot No. 14), Borough of Brooklyn, N.B. 2550-40.
1172-40-A.....	H.B.B.....	833 Bushwick avenue, east side, 75 ft. north of Stockholm street (Block No. 3253, Lot No. 4), Borough of Brooklyn, Amendment to Alt. 5122-40.
1173-40-A.....	F.D.....	280 East 148th street, south side, 95 ft. east of Morris avenue (Block No. 2329, Lot No.

11), Borough of The Bronx, Decision—re 23393-L.C.

1174-40-BZ.....	H.B.B.....	507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn, B.N. 1976-40.
1175-40-BZ.....	H.B.Q.....	35-59 to 35-65 73rd street and 73-03 to 73-11 37th avenue, northeast corner (Block No. 1273, Lot No. 39), Jackson Heights, Borough of Queens, N.B. 4367-40 and Permit No. 7247.
1176-40-A.....	H.B.M....	330-334 West 27th street, south side, 350 ft. west of Eighth avenue (Block No. 750, Lot No. 57), Borough of Manhattan, Decision—re Certificate of Occupancy Applic. 1565-40 and Alt. 3528-40.
1177-40-BZ.....	H.B.B.....	1165-1175 Gates avenue, north side, 124 ft. west of Evergreen avenue (Block No. 3331, Lot Nos. 24, 25, 26 and 29), Borough of Brooklyn, D.C. Applic. 1274-40.
1178-40-BZ.....	H.B.M....	309-311 East 34th street, north side, 100 ft. east of Second avenue, and 302-306 East 35th street (Block No. 940, Lot Nos. 8 and 58), Borough of Manhattan, Decision—re Certificate of Occupancy.
1179-40-BZ.....	H.B.Bx....	1020 Morris Park avenue, southwest corner of Paulding avenue (Block No. 4102, Lot No. 8), Borough of The Bronx, N.B. 1255-40.
1180-40-SA.....		Central Electrically Operated Deluge System (sprinkler system), Appliance.
1181-40-A.....	H.B.B.....	2908 Nostrand avenue, west side, 500 ft. north of Avenue P (Block No. 7690, Lot No. 79), Borough of Brooklyn, Alt. 5831-40.
1182-40-A.....	H.B.R.....	76 Metcalfe street, south side, from Vanderbilt avenue to

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Targee street, and 425 Vanderbilt avenue (Block No. 646, Lot No. 1), Stapleton, Borough of Richmond,
Misc. Applic. 268-40.

1183-40-A.....H.B.M....745-749 Seventh avenue and 169 West 49th street, northeast corner (Block No. 1002, Lot No. 1), Borough of Manhattan, E.S. Applic. 1826-40.

1184-40-A.....F.D.....134-140 Grand street, northeast corner of Crosby street (Block No. 473, Lot No. 51), Borough of Manhattan,
9927-L.F.

1185-40-S.....H.B.B....4302-4308 New Utrecht avenue, southwest corner of 43rd street (Block No. 5602, Lot No. 16), Borough of Brooklyn,
B.N. 824-40.

1186-40-A.....H.B.Bx....4138 Bronxwood avenue, east side, 83.51 ft. south of East 231st street (Block No. 4866, Lot No. 50), Borough of The Bronx,
Alt. 962-40.

1187-40-A.....H.B.M....406-414 East 44th street, south side, 149.67 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan,
Alt. 3430-40.

1188-40-A.....H.B.B....331 39th street, north side, 245 ft. east of Third avenue (Block No. 704, Lot No. 60), Borough of Brooklyn,
Alt. 4395-40.

1189-40-SM.....Sanferized Palco Wool (Insulation), manufactured by The Pacific Lumber Company,
Material.

1190-40-A.....H.B.B....1642 St. Johns place, south side, 227 ft. west of Ralph avenue (Block No. 1387, Lot No. 34), Borough of Brooklyn,
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1191-40-BZ....H.B.Q.....37-47 Junction boulevard, east side, 200.24 ft. north of 38th avenue (Block No. 1759, part of Lot Nos. 23 and 35),

Jamaica, Borough of Queens,
Misc. Applic. 9568-40.

1192-40-BZ....H.B.M....312-338 West 59th street, south side, 200 ft. east of Ninth avenue, 315-347 West 58th street, north side, 200 ft. east of Ninth avenue (Block No. 1049, Lot Nos. 9 and 44), Borough of Manhattan,
Decision—re Certificate of Occupancy.

1193-40-A.....H.B.Q.....11-01 43rd avenue, northeast corner of 11th street (Block No. 459, Lot No. 5), Long Island City, Borough of Queens,
Misc. Applic. 9459-40.

1194-40-A.....H.B.M....436 East 18th street, south side, 94 ft. west of Avenue A (Block No. 949, Lot No. 35), Borough of Manhattan,
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162-38-BZ....H.B.B....781-787 East 31st street, east side, 40 ft. north of Avenue H (Block No. 7559, Lot No. 8), Borough of Brooklyn,
Applic. 1914-38.

221-34-SA.....Metropolitan Curb Fill Box—re use for fuel oil in addition to gasoline,
Appliance.

617-19-BZ....H.B.B....1704-1724 St. Johns place, south side, 90 ft. 6 in. west of Howard avenue, and 1429-1447 Eastern parkway (Block No. 1473, Lot No. 25), Borough of Brooklyn,
Decision—re Zone Viol. 273-39.

92-37-BZ....H.B.Bx....912 East 172nd street and 1509-1519 Southern boulevard, southwest corner (Block No. 2977, Lot No. 103), Borough of The Bronx,
Decision—re Certificate of Occupancy.

443-40-BZ....H.B.B....890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn, Alt. 1168-40.

109-40-A.....F.D.....35-37 Emerson place, east side,

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200 ft. north of Park avenue
(Block No. 1880, Lot No. 8),
Borough of Brooklyn,
3896-L.F.

1067-40-A.....F.D.....1229 St. Nicholas avenue, west
side, 54 ft. north of West
171st street (Block No. 2141,
part of Lot No. 21), Bor-
ough of Manhattan,
23346-L.C. and Decision.

92-31-BZ....H.B.B.....8401-8411 Flatlands avenue and
761-775 East 84th street, north-
east corner (Block No. 8005,
Lot Nos. 6 and 11), Borough
of Brooklyn, N.B. 2460-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—De-
partment of Housing and Buildings, Queens; H.B.R.—Department
of Housing and Buildings, Richmond; H.B.Bx.—Department of
Housing and Buildings, Bronx; H.D.—Health Department, and
F.D.—Fire Department

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On December 20, 1940, Vollmer and Wildermuth, attorneys,
served on the Board petition and order of certiorari, on behalf of
Edgar P. Holliday, objector, in re decision of Board on October
29, 1940, permitting extension to a factory building partly in
business and partly in unrestricted district, under section 7c, Cal.
No. 953-40-BZ, premises 134-22 Jamaica avenue and 88-06 Van
Wyck boulevard, Jamaica, Borough of Queens.

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DECEMBER 31, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions of
the building zone resolution, *Tuesday morning, December*
31, 1940, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 518-40-BZ—Application, May 15, 1940, under sec-
tion 21 of the building zone resolution,
of Edward A. Schuman, applicant and
owner (Forest Hills Cement Block
Company, Incorporated, lessee), to per-
mit in a business use district the use
of premises for the manufacture of
cement blocks; premises 117-30 Spring-
field boulevard, west side, 44.54 ft.
north of 118th avenue (Block No. 3358,
Lot No. 61), St. Albans, Borough of
Queens.

CAL. NO. 942-40-BZ—Application, September 27, 1940, under
sections 7c and 21 of the building zone
resolution, of Lama and Proskauer,
applicants, on behalf of Ratlan Realty
Corporation, owner, to permit, partly
in a business use district and partly in
an unrestricted use district, the recon-
struction and structural alterations of
a building and, also, premises used as a
public garage, motor vehicle repair
shop, auto laundry, grease pits and
gasoline service station; premises 1927-
1943 Atlantic avenue and 17-31 Ban-
croft place, northeast corner (Block
No. 1558, Lot Nos. 1 and 32), Bor-
ough of Brooklyn.

CAL. NO. 990-40-BZ—Application, October 1, 1940, under
sections 7a and 7c of the building zone
resolution, of Charles M. Spindler, ap-
plicant, on behalf of H. D. Hammond
Garage, Incorporated, owner, to per-
mit on a premises located partly in a
business use district and partly in an
unrestricted use district, the extension
of a gasoline service station; premises
6518-6524 Fort Hamilton parkway, 913-
929 66th street, northwest corner, and
912-922 65th street (Block No. 5750,
Lot Nos. 13 and 26), Borough of
Brooklyn.

CAL. NO. 807-40-BZ—Application, July 19, 1940, under sec-
tions 7h and 21 of the building zone
resolution, of Henry Nordheim, appli-
cant, on behalf of Richard Stiegler,
owner (Sarah Stern, lessee), to permit

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in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Realty Corporation, owner, reopened October 15, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously denied by the Board under section 21 of the building zone resolution); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 712-38-BZ—Application of Sidney L. Strauss, applicant, on behalf of Steeples Management Corporation, owner, reopened and restored to Calendar November 13, 1940, under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business use in part of the cellar and in part of the first story of an existing multiple dwelling (previously dismissed for lack of prosecution); premises 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot Nos. 63 and 72), Borough of Brooklyn.

CAL. NO. 1131-40-BZ—Application, November 29, 1940, under sections 7b and 21 of the building zone resolution, of Emil H. Schwab, Jr., applicant, on behalf of Emil Schwab, Sr., Emma Schwab and Emil H. Schwab, Jr., owners, to permit, partly in a residence use district and partly in a business use district, the maintenance of a business use (stores) on the first story of an existing multiple dwelling; premises 2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot No. 30), Borough of The Bronx.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812 40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee),

to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuh's Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened December 3, 1940, for rehearing under new proposal, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the change of use of an existing building from bowling alleys, library, stores, auditorium and meeting room (previously granted by the Board) to stores and motion picture theatre (previously denied by the Board); premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 31, 1940, 2 P. M.

Appeals from Administrative Decisions.

1006-40-A—141-143 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens (under section 35, General City Law—rebed of mapped street).

1171-40-A—783-821 Lafayette avenue, northwest corner of Sumner avenue (Block No. 1787, Lot No. 14); (Public School No. 25), Borough of Brooklyn.

1182-40-A—76 Metcalfe street, south side, from Vanderbilt avenue to Targee street, and 425 Vanderbilt avenue (Block No. 646, Lot No. 1), Stapleton, Borough of Richmond.

1165-40-A—187-04 and 187-06 Linden boulevard, southeast corner of Montauk street (Long Island

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Railroad); (Block No. 3168, Lot Nos. 7 and 12), St. Albans, Borough of Queens.

1176-40-A—330-334 West 27th street, south side, 350 ft. west of Eighth avenue (Block No. 750, Lot No. 57), Borough of Manhattan.

JANUARY 7, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 7, 1941*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 377-40-BZ—Application, April 11, 1940, under section 7g of the building zone resolution, of William P. Collins, applicant and lessee, on behalf of Long Island Railroad Company, owner, to permit in an unrestricted use district the parking of more than five (5) motor vehicles on a plot located on the same street and between the same two (2) intersecting streets with a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 10 to 19, inclusive), Long Island City, Borough of Queens.

CAL. NO. 983-40-BZ—Application, October 10, 1940, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Dime Savings Bank of Brooklyn, owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn.

CAL. NO. 828-40-BZ—Application, July 30, 1940, under section 7h of the building zone resolution, of Gaetano Tuzzolino, applicant and lessee, on behalf of Milton Hirschman, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of White Plains road and East 236th street (Block No. 5043, Lot No. 6), Borough of The Bronx.

CAL. NO. 604-40-BZ—Application, June 5, 1940, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf of Mary B. MacKay, owner (Etta Ginsberg, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 74-92 Bay Ridge avenue, south side, 200 ft. east of Narrows avenue (Block No.

5869, Lot No. 19), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application of Albert C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, reopened October 15, 1940, under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously granted on certain conditions by the Board; Board's decision reversed by Special Term, Supreme Court, without prejudice to taking further proceedings before the Board); premises 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 926-40-BZ—Application, September 18, 1940, under section 7c of the building zone resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises 1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx.

CAL. NO. 1084-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-63 131st street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1085-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-54 134th street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1139-40-BZ—Application, December 2, 1940, under section 21 of the building zone resolution, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five

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(5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

Appeal from Administrative Decision.

CAL. NO. 758-40-A-MD—Application, July 9, 1940, under section 60 of the Multiple Dwelling Law, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 7, 1941, 2 P. M.

Appeals from Administrative Decisions.

861-40-A—2101-2123 Albemarle road, south side, 190 ft. east of Flatbush avenue (Block No. 5102, Lot No. 59); (Apartment No. 1-N), Borough of Brooklyn.

881-40-A—291-301 Metropolitan avenue, northwest corner of Roebling street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

1142-40-A—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

JANUARY 14, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 249-39-BZ—Application, February 28, 1940; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest

corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 302-29-BZ—Application of Reginald S. Hardy, applicant, on behalf of John Sklar Holding Company, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the inclusion of stores in a garage for more than five (5) motor vehicles; said garage previously granted by the Board; the stores do not comply with section 19h of the building zone resolution; premises 146-156 East 98th street and 1159-1171 Winthrop street,

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northwest corner (Block No. 4614, Lot No. 38), Borough of Brooklyn.

CAL. NO. 207-31-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1146 Southern Boulevard Corporation, owner, reopened November 21, 1939, under section 21 of the building zone resolution, to permit in a business use district a motor vehicle repair shop in an existing building; said building previously acted upon by the Board, permitting its use as a gasoline service station, auto laundry and garage for five (5) cars; premises 1148 Southern boulevard, east side, 237 ft. north of East 167th street (Block No. 2745, Lot No. 11), Borough of The Bronx.

CAL. NO. 1002-40-BZ—Application, October 16, 1940, under sections 7i and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of Harold Swain, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop; premises 1550-1552 Jerome avenue, east side, 241.79 ft. south of East Mount Eden avenue (Block No. 2846, Lot Nos. 23, 24, 25 and part of Lot Nos. 22 and 26), Borough of The Bronx.

CAL. NO. 1181-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Jefferson Associates, Incorporated, and Orada Realty Corporation, owners, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northwest corner of Sedgwick avenue and West 167th street (Block No. 2540, Lot Nos. 16, 21 and 24), Borough of The Bronx.

CAL. NO. 968-40-BZ—Application, October 4, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Jamaica-Fulton Operating Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block No. 9799, Lot Nos. 7 and 42), Jamaica, Borough of Queens.

CAL. NO. 1036-39-BZ—Application, August 10, 1939, under section 21 of the building zone resolution, of Hyman Axinn, applicant, on behalf of Axinn and Sons Lumber Company, Incorporated, owners, to permit, partly in a residence use district and partly in a business use district, the parking of more than three (3) motor vehicles; premises 222-40 99th avenue, south side, 400 ft. east of 222nd street (Block No. 10805, Lot No. 21), Queens Village, Borough of Queens.

CAL. NO. 799-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Fox and Wintner, applicants, on behalf of Frances S. Burrows, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 4-6 East 135th street, south side, 50 ft. east of Fifth avenue (Block No. 1759, Lot No. 69), Borough of Manhattan.

CAL. NO. 607-40-BZ—Application, June 6, 1940, under sections 7h and 21 of the building zone resolution, of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block No. 9676, Lot No. 13), Jamaica, Borough of Queens.

CAL. NO. 691-40-BZ—Application, June 25, 1940, under sections 7h and 21 of the building zone resolution, of H. Herbert Lilien, applicant, on behalf of Merrimak Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station; premises 3325-3331 Broadway, west side, 49 ft. 11 in. north of West 134th street (Block No. 2001, Lot Nos. 31, 32, 33 and part of Lot No. 36), Borough of Manhattan.

CAL. NO. 922-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of Ely Jacques Kahn, applicant, on behalf of Jacob Ruppert Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 205-223 East 93rd street, north side, 90 ft. east of Third avenue, and 204-222 East 94th street (Block No. 1539, Lot Nos. 5 and 7), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9

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Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 14, 1941, 2 P. M.

Appeals from Administrative Decisions.

821-40-A—436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

1130-40-A—144 Avenue C and 701 East 9th street, northeast corner (Block No. 379, Lot No. 1), Borough of Manhattan.

1097-40-A—470 86th street (472 displayed), south side, 97 ft. 1¼ in. west of Fifth avenue (Block No. 6045, Lot No. 34), Borough of Brooklyn.

944-40-A—19 Richards street, southeast corner of Seabring street (Block No. 505, Lot No. 60), Borough of Brooklyn.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 14, 1941, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 162-38-BZ—Application of Boris W. Dorfman, applicant, on behalf of Realty Freehold Corporation, owner, reopened December 17, 1940—re consideration of extension of time to complete work—re Application, previously granted on condition under sections 7b and 21 of the building zone resolution, permitting the extension from a business use district into a residence use district of a proposed business building (stores) and, also, the omission of the required rear yard; premises 781-787 East 31st street, east side, 40 ft. north of Avenue H (Block No. 7559, Lot No. 8), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 21, 1941, 2 P. M.

Appeal from Administrative Decision.

849-40-A—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

JANUARY 22, 1941, 10 A. M.

Rules.

217-21-SR—Oil Burner Rules—To reaffirm rules adopted by the Board on June 15, 1934, as last amended on December 4, 1936, in view of Local Law Introductory No. 342, which became law upon approval of the Mayor, December 14, 1940.

639-40-SR—Rules for the Manufacture, Testing and Use of Concrete Masonry Units—Proposed amendment of.

JANUARY 28, 1941, 2 P. M.

Appeal from Administrative Decision.

1164-40-A—84-14 Northern boulevard, southwest corner of 85th street (Block No. 1433, Lot Nos. 1, 2 and 3), Jackson Heights, Borough of Queens.

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 17, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

The minutes of the regular meeting of the Board held on Tuesday morning, December 3, 1940, and the minutes of the regular meeting of the Board held on Tuesday afternoon, December 3, 1940, were approved as printed in Bulletin No. 50, Volume 25.

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BUILDING ZONE CASES.

401-31-BZ.

APPLICANT—Sidney L. Strauss, for Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee).

SUBJECT—Application reopened July 2, 1940 (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot previously granted by the Board for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; also, to continue the temporary parking and storage use.

PREMISES AFFECTED—624-626 Atlantic avenue, 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss, Henry J. Goldschmidt and Thomas Karas.

For Opposition: Julius Brandes.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., to permit further consideration by the Board and final decision without argument.

177-32-BZ.

APPLICANT—Herbert J. Krapp, for Trebush Realty Company, Incorporated, owner.

SUBJECT—Application reopened April 9, 1940 (re decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station).

PREMISES AFFECTED—160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert J. Krapp and Ray Whitaker.

For Opposition: Jacob I. Berman, Louis G. Mohrman, Samuel Statts, Charles H. Boland, Arthur H. Weg, Samuel S. Reinisch and Thomas F. McAndrews.

ACTION OF BOARD—Laid over to December 31, 1940, at 10 A.M., for inspection by a committee of the Board.

253-40-BZ.

APPLICANT—Oscar Goldschlag, for Direct Realty Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit on a plot located in a business use district and residence use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton Goldschlag, Charles A. Cohen, Michael M. Azar and A. G. Anderson.

For Opposition: Sam Gleich and Sol A. Herzog.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., to permit further study by the Board.

647-40-BZ.

APPLICANT—Oscar Goldschlag, for Eugene Higgins, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton Goldschlag.

For Opposition: None.

ACTION OF BOARD—Laid over to January 14, 1941, at 10 A.M., at which time application of adjoining lot for similar use will be heard.

39-31-BZ.

APPLICANT—Reginald S. Hardy, for Woodhaven-Liberty Realty Corporation, owner.

SUBJECT—Application reopened May 21, 1940 (re decision of the borough superintendent of buildings), under sections 7f and 21 of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(39-31-BZ)

WHEREAS, this application, to permit in a business use district, under section 21 of the building zone resolution, the erection and maintenance of a garage for more than five (5) motor vehicles and the installation of a gasoline service station, premises 93-02 to 93-12 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 394, Lot No. 34), Woodhaven, Borough of Queens, was granted by the Board June 9, 1931, on certain conditions, and the time to obtain permits and to complete the work was extended from time to time; the garage and gas station were never erected; and

WHEREAS, Reginald S. Hardy, for Woodhaven-Liberty Realty Corporation, Incorporated, requested reopening of the application on the basis of a new proposal, to permit, under section 21 of the building zone resolution, partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station, premises 93-02 to 93-06 Rockaway boulevard and 103-55 to 103-69 93rd street, southeast corner (Block No. 9115, part of Lot No. 39), Woodhaven, Borough of Queens; and

WHEREAS, this application was reopened by vote of the Board May 21, 1940, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rockaway boulevard, 93rd street, 94th street and Liberty avenue are in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 2215, dated August 16, 1940, reads:

"1. The erection of a gas station in a business dis-

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strict is contrary to Section 4 of the Zone Law." and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on 93rd street, 116 ft. on Rockaway boulevard and a distance of 90 ft. along the southerly lot line; it is proposed to erect on the plot a one-story structure to be used as lubritorium, auto laundry and office and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted by the Board on June 9, 1931, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that there shall be erected a one-story building above grade, built fireproof throughout; that the rear and gable walls shall be unpierced throughout their entire height and length; the front elevation on 93rd street to be unpierced except for one emergency exit, not more than 3 ft. 8 in. wide, and windows, the sills of which are to be not less than 5 ft. above sidewalk grade; that any skylights installed in the roof shall be set back from the easterly and rear lot lines not less than 20 ft., equipped with 1/4 in. plate glass protected with wire guards above and below; that the front elevation on Rockaway boulevard and 93rd street shall be constructed of face brick with architectural terra cotta or sand stone trim; that the front elevation of proposed building shall be set back from the Rockaway boulevard building line not less than 26 ft.; on this front portion of the plot may be developed the gasoline service station; that all pumps for gasoline service station shall be set back from the building line not less than 10 ft. each; there shall be erected along the building line on Rockaway boulevard and on the easterly lot line and 93rd street building line from Rockaway boulevard front of the proposed garage building to building line on Rockaway boulevard; a concrete curbing 12 in. in height and 12 in. in width, with but two openings on the Rockaway boulevard frontage, each opening to be not more than 12 ft. wide with curb cuts directly in front of such openings not more than 14 ft. wide each; that no portable gasoline tanks shall be operated on the premises; all advertising signs to be limited to one projecting electric sign on Rockaway boulevard front of building and the illuminated globes of gas pumps; that all accessory use in connection with gasoline station shall be confined within the garage building.

Resolved further, that in the event the owner desires to reduce the plot to the dimensions as indicated on plans marked 'Received May 10, 1940,' and to change the proposal for the structure on such revised plot, the requirements of this resolution as herein amended may still be deemed to apply, under section 7f, for a term of ten (10) years, on condition that all buildings on the plot shall be removed and the new accessory building shall be erected as indicated on revised plan marked 'Received December 5, 1940,' except that the design of the accessory building shall be in accordance with the revised plans marked 'Received December 17, 1940'; that the accessory building shall be located toward the southeast corner of the plot and shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board and the roof is surfaced with approved roofing materials; that the accessory building shall be constructed with face brick walls, which shall not be painted; that no openings shall be constructed on the lot line walls; that greasing equipment shall be of the hydraulic type; that there shall be erected on the interior lot line to the south, from the accessory building to 93rd

street, a brick wall not less than 7 ft. in height continuously, except that such wall may be constructed for a height of 4 ft. within 10 ft. from the building line of 93rd street; that such wall shall be constructed of face brick on both sides matching the accessory building; that the balance of the premises, where not occupied by the accessory building, pumps, wall and planting areas shall be cement paved; that the sidewalks surrounding the property shall be restored; that curb cut entrances shall be restricted to two from Rockaway boulevard, not exceeding 25 ft. in width each, and two from 93rd street of similar width; that there shall be erected at the intersection of Rockaway boulevard and 93rd street a triangular area protected by curbing and extending for a distance of 16 ft. along either street from the intersection; that such area shall be maintained with shrubs; that the gasoline pumps erected shall be not nearer than 15 ft. to either street building line; that gasoline storage tanks shall not exceed four with a capacity of 550 gallons each; that signs shall be restricted to a permanent sign attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line near the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that such signs and advertising devices shall not include illuminated brand signs or advertising devices; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that before the plans are filed with the borough superintendent of buildings, complete working drawings shall be submitted for approval by the chairman on behalf of the Board; that such plans shall be filed within one (1) month from the date of this resolution; that after approval all permits shall be obtained and all work completed within one (1) year thereafter."

97-37-BZ.

APPLICANT—Theodore R. Feinberg, for Eleanor C. Stofel and Lillian Covert, owners (Harry Lander, lessee).

SUBJECT—Application reopened October 8, 1940 (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore R. Feinberg and Paul Friedman.

For Opposition: Paul P. Meltzer and Philip Katz.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(97-37-BZ)

WHEREAS, this application, to permit in a business use district, under section 7h of the building zone resolution, the parking and storage of more than five (5) motor vehicles, premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn, was granted by the Board December 14, 1937, on certain conditions; and

WHEREAS, due to incorrect ownership and incorrect authorization of persons in ownership of the subject property, the action of the Board of December 14, 1937, was rescinded May 16, 1939; and

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WHEREAS, Theodore R. Feinberg, for Eleanor C. Stoffel and Lillian Covert, owners, requested reopening of the application and rehearing on the basis of new facts; and

WHEREAS, this application was reopened by vote of the Board October 8, 1940, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue, Amboy street and Herzl street are in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on B. N. Application No. 1224-1940, dated September 16, 1940, reads:

"Storage and parking of more than five motor vehicles in a business use district is contrary to B.Z. Resolution, Art. II, Sect. 4a (15)."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 211 ft. on East New York avenue, 124 ft. on Amboy street and 82 ft. on Herzl street; it is proposed to occupy the premises for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the transient parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders or other similar material, properly rolled and bound, so as to render the surfacing substantially impervious and to provide surface drainage; that there shall be erected on the street lot lines a new heavy woven-wire fence of the chain-link type with steel anchor posts, such fence to be not less than 6 ft. in height and with not more than one opening therein for entrance; that such opening shall be on East New York avenue, generally located as indicated on plans filed with this application; that such opening shall not exceed 15 ft. in width and the curb cut opposite shall not exceed 15 ft. in width; that on the interior lot lines, where unpunctured walls of adjoining buildings do not occur, there shall be erected a similar fence; that during the term of this variance the premises shall be used for no other use than as herein permitted; that no structure shall be erected, except that there may be erected at the entrance a building not exceeding 100 sq. ft. in area and not over one story in height, which may be of frame, to be used only as an office and shelter for the attendant; that no signs shall be permitted, except that there may be a sign attached to the fence at the entrance advertising the storage and parking use and the rates charged; that such sign shall not extend beyond the building line and shall not be illuminated; that all signs now existing on the premises shall be removed; that lights erected for general illumination shall be on pipe post standards and shall be so arranged with metallic reflectors as to reflect toward the center of the premises and away from adjoining occupancies; that proper aisles shall be maintained at all times for easy ingress and egress; that a space of not less than 18 in. shall be provided at all times between alternate rows of cars for easy access thereto; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

94-38-BZ.

APPLICANT—William L. Schrauth and Earl J. Helmick, for Jeho Company, Incorporated, owner.

SUBJECT—Application reopened July 16, 1940, for rehearing (re decision of the borough superintendent of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—89-04 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Schrauth and A. B. Gifford.

For Opposition: Jacob Garlick.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

THE RESOLUTION—

(94-38-BZ)

WHEREAS, this application, to permit in a business use district, under section 7h of the building zone resolution, the parking and storage of more than five (5) motor vehicles, was withdrawn on request of the applicant March 21, 1939; and

WHEREAS, this application was reopened and restored to the Calendar by vote of the Board May 9, 1939, subject to the usual procedure; denied January 9, 1940; and

WHEREAS, William L. Schrauth and Earl J. Helmick, for Jeho Company, Incorporated, owner, requested reopening of the application and rehearing by the Board, to permit, in a business use district, under section 7h of the building zone resolution, the parking and storage of more than five (5) motor vehicles, for a temporary period of not more than two (2) years; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens; and

WHEREAS, this application was reopened by vote of the Board July 16, 1940, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 89th avenue and 166th street are in business and residence use districts; 90th avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Miscellaneous Application No. 883-1940, dated October 22, 1940, reads:

"Proposed use of premises located in a business district for the parking and storage of more than 5 cars is contrary to Sec. 4-15 of the Building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 135 ft. on 89th avenue and 148 ft. on 166th street; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h thereof, for a temporary term of two (2) years, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only those

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of the pleasure-car type shall be so parked; that there shall be erected parallel to the street line of 89th avenue and 15 ft. therefrom a brick wall not less than 6 ft. in height, faced on both sides with face brick; that along the interior lot line between this lot and Lot No. 65 there shall be constructed a similar wall; that a similar wall shall be erected along the building line between this lot and Lot No. 83 (see provision in the resolution adopted by the Board under Cal. No. 5-40-BZ); that along the street building line of 166th street there shall be constructed a chain-link woven-wire fence, not less than 6 ft. in height, with anchored metal posts; that there shall be no openings therein, except two, not over 15 ft. in width each; that no part of any opening shall be nearer to 89th avenue than 30 ft.; that curb cuts opposite shall be of similar width; that the space between the wall herein required parallel to 89th avenue and the street building line of 89th avenue shall be sodded or planted with shrubs and maintained in good condition at all times; that the balance of the premises shall be leveled substantially to the grade of 166th street and shall be surfaced with impervious material, properly rolled and bound, so as to prevent dusting and so as to provide surface drainage; that proper aisles shall be maintained at all times for easy ingress and egress, and that a space of not less than 18 in. shall be maintained between rows of cars for ready access thereto; that during the term of this permit the premises shall be used for no other use than that herein permitted and no building shall be erected thereon, except there may be erected a building, not over one story in height and not over 150 sq. ft. in area, and which may be of frame, for use solely as an office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no sign shall be erected on the premises, except there may be a sign attached to the fence at the entrance and not extending beyond the building line and not illuminated, advertising the transient parking use and the rates charged; that any general illumination shall be by means of lights erected on pipe standards and with metal reflectors so arranged as to reflect toward the center of the premises and away from the adjoining residential occupancies; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

304-40-BZ.

APPLICANT—J. M. Berlinger, for F. W. Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (stores).

PREMISES AFFECTED—11-15 West 8th street, north side, 206 ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles I. Goldman.

For Opposition: Edward G. Steinert, David Greenberg and Raymond V. Nelson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

THE RESOLUTION—

(304-40-BZ)

WHEREAS, J. M. Berlinger, for F. W. Realty Corporation, owner, filed March 25, 1940, an application under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (stores); premises 11-15 West 8th street, north side, 206

ft. 6 in. west of Fifth avenue (Block No. 572, Lot Nos. 49, 50 and 51), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 8th street is in a residence and business use district; West 9th street and Fifth avenue are in residence use districts; Sixth avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 523-40, dated February 28, 1940, reads:

"1. Creation of business in a residence district not permitted.

Article 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the existing building is of Class 3 construction, 74 ft. front by 80 ft. 9 in. in depth and six stories in height; it is proposed to alter and to convert the occupancy of the front portion of the first story of the existing multiple dwelling from residence use to business use (stores); and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate a basis to warrant the exercise of its discretion to grant under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 523-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

351-40-BZ.

APPLICANT—William F. Regan (applicant), for William F. Regan, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 21 and 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph T. Kearney, William F. Regan (applicant) and William F. Regan (owner).

For Opposition: Louis W. Kaplan and Jane N. Mellis.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief McCarthy 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(351-40-BZ)

WHEREAS, William F. Regan (applicant), for William F. Regan, owner, filed April 5, 1940, an application under sections 21 and 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1000-1012 Brooklyn avenue and 3522-3524 Snyder avenue, southwest corner (Block No. 4906, Lot Nos. 9 and 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the building zone resolution show that Snyder avenue, Brooklyn avenue, East 35th street and Tilden avenue are each in business and residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 763-40, dated April 5, 1940, reads:

"1. The construction of a gasoline service station in a business use district is contrary to Sect. 4 of the Zone Resolution.

Application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 114 ft. 1 in. on Brooklyn avenue and 45 ft. 4 in. on Snyder avenue; it is proposed to demolish the structures now on the site and to erect thereon a one-story building, 43 ft. by 16 ft. in area, to be used as office, lubritorium and auto laundry and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution and that there was insufficient justification for the exercise of its discretion under section 7f thereof.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 763-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

865-40-BZ.

APPLICANT—Lama and Proskauer, for The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Norman Resnick, Gus Goldstein and Jerome N. Wanshel.

For Opposition: George Langberg, Harold A. Lockwood, Alexander Boskoff, J. F. Kelly, Charles Simons, William G. Deane, John Imbergamo, Carl A. Hintz, Leo Fluhr and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4

THE RESOLUTION—

(865-40-BZ)

WHEREAS, Lama and Proskauer, for The Louis Friedman Realty Company, Incorporated, owner (Norman Resnick, lessee), filed August 21, 1940, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 368-378 Kings highway, southwest corner of West 3rd street (Block No. 6653, Lot Nos. 34, 38, 43 and 44), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building

zone resolution show that West 3rd street and West 4th street are each in business and residence use districts; Kings highway and Highlawn avenue are each in business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on D.C. Application No. 1218-40, dated July 31, 1940, reads:

"1. Parking and storage of more than 5 cars in business district is contrary to Art. II, Sec. 4a, Para. 15 Zone Resolutions.

Application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 243 ft. on West 3rd street, 99 ft. on Kings highway and 50 ft. on Highlawn avenue; it is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was insufficient basis for the use of its discretion under the provisions of section 7, subdivision h, of the building zone resolution, and that the applicant had failed to substantiate a basis to warrant exercise of its discretion to grant under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, on D.C. Application No. 1218-40, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

977-40-BZ.

APPLICANT—James A. Boyle, for William M. Calder Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or showrooms located more than 25 ft. from the intersecting street.

PREMISES AFFECTED—3047 Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: William M. Calder and James A. Boyle.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(977-40-BZ)

WHEREAS, James A. Boyle, for William M. Calder Company, owner, filed October 8, 1940, an application under section 21 of the building zone resolution, to permit in a street, zoned for residence use up to within 100 ft. of an intersecting street zoned for business use, entrances to stores, offices or showrooms located more than 25 ft. from the intersecting street; premises 3047 Avenue U and 2080-2090 Coyle street, northwest corner (Block No. 7339, Lot No. 40), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue U is in a business use

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district; Coyle street and Ford street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 1989-40, dated October 2, 1940, reads:

"1. Since Coyle street is zoned for residential use up to within 100 ft. from Avenue U, no entrance to stores & offices or show windows are permitted on said street except within 25 feet of Avenue U. Article IV, Sec. 19 (h) of Zone Resolution. Application denied."

and

WHEREAS, the proposed building will be one story in height, of Class 3 construction, and will have a frontage of 23 ft. on Avenue U and 99 ft. 4 in. on Coyle street; Avenue U is zoned for business use and Coyle street is zoned for residence use up to within 100 ft. of Avenue U; it is proposed to erect upon the site a business (stores) building having entrances to stores and offices more than 25 ft. from the intersecting streets; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant was entitled to temporary relief under section 21 of the building zone resolution on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, *on condition* that the building shall be constructed as proposed and for the uses as indicated on plans filed with this application marked "Received October 8, 1940"; that the rear portion of the building where marked "offices" shall be used only for such purposes or for residential use; that in all other respects the building and occupancy shall comply with all requirements of the zoning resolution and all other laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1021-40-BZ.

APPLICANT—Leon J. Shapiro, for Robert Bass, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more than 25 ft. from the corner of the street.

PREMISES AFFECTED—464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon J. Shapiro, Robert Bass and Saul Goldsmith.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1021-40-BZ)

WHEREAS, Leon J. Shapiro, for Robert Bass, owner, filed October 24, 1940, an application under section 21 of the building zone resolution, to permit in a business use district, on a lot abutting a residence use district, the alteration of a business building (store) in such a manner that there will be show windows and store entrances more than 25 ft. from the corner of the street; premises 464 Clarkson avenue, southeast corner of Brooklyn avenue (Block No. 4841, Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 17, 1940, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Clarkson avenue is in a business use district; Lenox road is in a residence use district; Brooklyn avenue and East 37th street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 4365-40, dated October 1, 1940, reads:

"5. As the abutting property to the rear is in a residence use district the proposition to construct new show windows and entrances to stores more than 25 feet distance from the corner is contrary to the Building Zone Resolution, Section 19-(h)."

and

WHEREAS, the existing building is one story in height, of Class 3 construction, and has a frontage of 100 ft. on Brooklyn avenue and 27.9 ft. on Clarkson avenue; it is proposed to alter the existing business building in such a manner as to create five (5) stores, where entrances and show windows of these stores are located more than 25 ft. from the corner; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21 thereof, to permit the subdivision of existing one-story building and the construction of individual stores, as indicated on plans filed with this application, *on condition* that the building shall not be further increased in height or area; that in all other respects the construction and occupancy shall comply with the requirements of the zoning resolution and all other laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this action.

5-40-BZ.

APPLICANT—Jacob Muskin, for Abraham D. Van Siclen, Abraham W. Ruskin, Nordlow Realities, Incorporated, Long Island Bus Terminal, Incorporated, and Cora Lay Waldron, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal.

PREMISES AFFECTED—89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Muskin and Sol Lipman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(5-40-BZ)

WHEREAS, Jacob Muskin, for Abraham D. Van Siclen, Abraham W. Ruskin, Nordlow Realities, Incorporated, Long

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Island Bus Terminal, Incorporated, and Cora Lay Waldron, owners, filed January 2, 1940, an application under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles and, also, the maintenance and extension of a bus terminal; premises 89-17 to 89-53 165th street, east side, 150 ft. south of 89th avenue, and 89-18 to 90-16 166th street (Block No. 9795, Lot Nos. 83, 85, 30, 89, 130, 94, 98 and 101), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board July 9, 1940, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 9, 1940, only so far as it has reference to obtaining permits and the completion of the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within three (3) months from the date of this amended resolution."

Adjourned, 1:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 17, 1940.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy.

BUILDING ZONE CASES.

617-19-BZ.

APPLICANT—J. Henry Walters, for St. John Parkway Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings), under section 7e of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1704-1724 St. Johns place, south side, 90 ft. 6 in. west of Howard avenue, and 1429-1447 Eastern parkway, north side, 88 ft. west of Howard avenue (Block No. 1473, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Henry Walters.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

92-31-BZ.

APPLICANT—Abraham N. Horwitz, for Rubin Raskin and Louis Raskin, owners.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period of two (2) years.

PREMISES AFFECTED—8401-8411 Flatlands avenue and 761-775 East 84th street, northeast corner (Block No. 8005, Lot Nos. 6 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

92-37-BZ.

APPLICANT—Arthur H. Haaren, for Crew Levick Company, owner (Abraham Bendelsohn, lessee).

SUBJECT—Application for consideration—reopening and rehearing under section 7c of the building zone resolution—re Application (decision of the borough superintendent of buildings), under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—912 East 172nd street and 1509-1519 Southern boulevard, southwest corner (Block No. 2977, Lot No. 103), Borough of The Bronx.

APPEARANCES—

For Applicant: John G. Coleman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

162-38-BZ.

APPLICANT—Boris W. Dorfman, for Realty Freehold Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete (time having expired by limitation)—re Application (decision of the borough superintendent of buildings), under sections 7b and 21 of the building zone resolution, permitting the extension from a business use district into a residence use district of a proposed business building (stores) and, also, the omission of the required rear yard.

PREMISES AFFECTED—781-787 East 31st street, east side, 40 ft. north of Avenue H (Block No. 7559, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bert Bassant.

ACTION OF BOARD—Application reopened, subject to usual procedure, and set for hearing January 14, 1941, at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

404-38-BZ.

APPLICANT—Reginald S. Hardy, for Downtown Brooklyn Parking, Incorporated, lessee; Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—214-228 Schermerhorn street, south side, 233 ft. east of Hoyt street (Block No. 171, part of Lot No. 7), Borough of Brooklyn.

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APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

443-40-BZ.

APPLICANT—Jack Z. Cohen, for Depreciation Fund Board, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Application (decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop (previously dismissed for lack of prosecution).

PREMISES AFFECTED—890-892 Coney Island avenue, west side, 118 ft. 9 $\frac{3}{8}$ in. north of 18th avenue (Block No. 5403, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

224-38-BZ.

APPLICANT—Lama and Proskauer, for Hanover Service Station, Incorporated, owner.

SUBJECT—Application for consideration—reopening—approval of plans and to impose further conditions—re Application (decision of the borough superintendent of buildings), under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—32-11 to 32-19 Cross Island boulevard and 198-05 to 198-11 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(224-38-BZ)

WHEREAS, this application, to permit in a business use district, under section 7f of the building zone resolution, the erection and maintenance of a gasoline service station, premises 32-11 to 32-19 Cross Island boulevard and 198-05 to 198-09 33rd avenue, northeast corner (Block No. 6025, part of Lot No. 36), Bayside, Borough of Queens, was granted by the Board November 26, 1940, on certain conditions, one of which required submission of working drawings for approval and for the imposition of further conditions deemed necessary, and the applicant requested approval of such plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 26, 1940, so that as amended it shall read:

"*granted*, under section 7f thereof, for a term of ten (10) years, to permit the premises under appeal within the business use district to be occupied as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Francis Lewis (Cross Island) boulevard; that the gasoline station shall be constructed and arranged as indicated on plans marked 'Received December 7, 1940,' which plans are hereby approved as complying with the requirements as set forth herein; that the accessory building shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals and the sloping roofs are surfaced with natural slate or heavy asbestos shingles, except that the roof of the cupola may be of wood with the roof copper covered; that the door frames and doors, window frames and sash may be of wood; that the accessory building shall be faced with face brick on all sides, except the rear, and maintained unpainted; that the greasing equipment shall be of the hydraulic type, except that one greasing pit may be constructed, provided the pit is ventilated by means of a duct through the roof with a fan blower of a type approved for explosive atmospheres; that there shall be no openings in the accessory building to adjoining premises; that there shall be constructed on the interior lot lines a brick wall, constructed on both sides of face brick matching the face brick of the accessory building, not less than 6 ft. in height continuously, except where wall of accessory building occurs; that such wall may be reduced in height for a distance back from Francis Lewis boulevard of 10 ft., as shown on approved plans; that the planting areas shall be maintained as shown protected by concrete curbing not less than 6 in. in height and 6 in. in width, except that at the planting area at the intersection the curbing shall be not less than 12 in. by 12 in., with rounded top; that the balance of the plot where not occupied by accessory building, walls, planting and pumps, shall be cement paved, including the yard space to the rear of the accessory building; that pumps erected shall be located as shown and not nearer than 15 ft. to the street building line and shall be of a type as approved by the Park Department and as shown on the plans approved, with masonry pedestals of brick to match the accessory building and walls; that entrance to the premises shall be restricted to two (2) curb cut entrances from Francis Lewis boulevard, located where shown, and not exceeding 30 ft. in width each, and one entrance from 33rd street, where shown, not exceeding 25 ft. in width; that signs shall be restricted to permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection of two post standards, where indicated, within the building line for supporting signs, designed as shown, advertising only the brand of gasoline on sale, and permitting such signs to be illuminated and to extend over the building line for a distance of not more than 4 ft.; that if within the jurisdiction of the Park Department such signs shall meet with their approval and also the landscaping; that during the term of this permit the premises shall be used for no use other than as herein permitted; that there shall be no motor vehicle repairing and no storage or parking of motor vehicles other than those being serviced; that the storage tanks for gasoline shall not exceed six (6) 550-gallon approved tanks, as shown; that no vehicular entrance shall at any time be installed to the rear yard space; that such space shall at all times be kept free of rubbish and not used for any storage; that the heater room shall be separated from the balance of the building by fireproof materials and enterable only from the ex-

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terior; that a copy of this resolution shall be attached to the approved plans and made part thereof; that all sidewalks and curbs surrounding the premises shall be newly constructed; that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

702-38-BZ.

APPLICANT—Herman Kron, for Holy Name Mission of the Bowery District, Incorporated, and Second Street Holding Company, Incorporated, owners.

SUBJECT—Application for consideration—reopening and extension of time to complete—amendment—re Application (decision of the borough superintendent of buildings), under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(702-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block No. 457, Lot Nos. 13 to 19, inclusive), Borough of Manhattan, was granted by the Board February 6, 1940, on certain conditions, and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 6, 1940, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work involved completed within three (3) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

881-40-A.

APPLICANT—LaBelle Service Station, Incorporated, owner; Ferdinand F. Scherpich, attorney for Edward Lambert and Florence Scherpich, and Sidney B. Fisher, attorney for Amelia Walter, holders of first mortgage.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—291-301 Metropolitan avenue, northwest corner of Roebing street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas Smith.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 7, 1941, at 2 P.M., on request of attorney for lessee.

944-40-A.

APPLICANT—Midwood Management Corporation, owner. SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—19 Richards street, southeast corner of Seabring street (Block No. 505, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Robinson.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Laid over to January 14, 1941, at 2 P.M., for additional information from Fire Department and for inspection by Fire Department.

1097-40-A.

APPLICANT—John Burke, for Ole Axelsen, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—470 86th street (472 displayed), south side, 97 ft. 1¼ in. west of Fifth avenue (Block No. 6045, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Burke and Alexander G. Hesterberg.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 14, 1941, at 2 P.M., for inspection by a committee of the Board and report without further argument.

1102-40-A.

APPLICANT—Frederick S. Keeler, for Bertha M. Arras, Ida Arras and Anna M. Rice, owners (Humphrey-Weidman Studios, lessees).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—108-110 West 16th street, south side, 100 ft. west of Sixth avenue (Block No. 791, Lot Nos. 48 and 49), Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick S. Keeler, Doris Humphrey and Norman Lloyd.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Placed on Reserve Calendar, subject to filing of building zone application.

1130-40-A.

APPLICANT—Sidney Daub, for Rose Lippel, owner (East Drive Food, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—144 Avenue C and 701 East 9th street, northeast corner (Block No. 379, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 14, 1941, at 2 P.M., for further consideration by the Board.

1142-40-A.

APPLICANT—G. B. Higgins, for Viking Sprinkler Company, Incorporated, for Sears, Roebuck and Company, lessee and owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2301-2323 Beverly road and

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2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. B. Higgins.

For Administration: Morris Hannes, Department of Housing and Buildings, and Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to January 7, 1941, at 2 P.M., for further consideration by the Board.

1164-40-A.

APPLICANT—Packard L. I. C., Incorporated (lessee), for Queensboro Investing Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-14 Northern boulevard, southwest corner of 85th street (Block No. 1433, Lot Nos. 1, 2 and 3), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Arthur L. Kraut.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 28, 1941, at 2 P.M., to permit Board to study appellant's brief and render decision without further argument.

1171-40-A.

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—783-821 Lafayette avenue, northwest corner of Sumner avenue (Block No. 1787, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. Toensfeldt, G. Goldman and Charles Tilgner.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 31, 1940, at 2 P.M., to obtain information from the Board of Education.

847-40-A.

APPLICANT—Patrick J. Hangley (receiver), for 2311 Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1123-1127 Broadway and 9 West 25th street, northwest corner (Block No. 827, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

882-40-A.

APPLICANT—D. A. Collins Manufacturing Company, Incorporated (lessee), for Bush Terminal Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—148 39th street, southwest corner of Second avenue (Bush Building No. 19, fourth floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rubin Indursky.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

1100-40-A.

APPLICANT—Saul Goldsmith, for Greenway Supply Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-40 Cooper avenue, south side, 422 ft. east of 80th street (Building No. 9); (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street).

APPEARANCES—

For Applicant: Saul Goldsmith.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Mc-

Carthy 4

Negative 0

109-40-A.

APPLICANT—Rudolph Vagt, owner.

SUBJECT—Application for consideration—reopening and rehearing on new facts—re Appeal from an order of the fire commissioner (previously denied).

PREMISES AFFECTED—35-37 Emerson place, east side, 200 ft. north of Park avenue (Block No. 1880, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rudolph Vagt.

ACTION OF BOARD—Appeal reopened, subject to usual procedure and, also, for inspection by a committee of the Board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

1067-40-A.

APPLICANT—Sol A. Herzog, for Select Photo Company, Incorporated, lessee.

SUBJECT—Application for consideration—reopening and restoration to Calendar—re Appeal from an order and a decision of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—1229 St. Nicholas avenue, west side, 54 ft. north of West 171st street (Block No. 2141, part of Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol A. Herzog.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

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975-40-A.

APPLICANT—Frederick J. Fox, for Woodsam Associates, Incorporated, owner (Philip Winter, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—98 East Burnside avenue, south side, from Walton avenue to Morris avenue (Block No. 2829, Lot Nos. 45 to 53, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick J. Fox and S. Salomons.

For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(975-40-A)

WHEREAS, Frederick J. Fox, for Philip Winter, lessee, filed October 7, 1940, an appeal from a decision of the borough superintendent of buildings; premises 98 East Burnside avenue, south side, from Walton avenue to Morris avenue (Block No. 2829, Lot Nos. 45 to 53, inclusive), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 449-40, dated September 30, 1940, reads:

"1. Projection beyond the building line (store front) is prohibited as per Section 2.4.1.1 of the Building Code."

and

WHEREAS, the building is one story (15 ft.) in height, 201.03 ft. by 80 ft. in area; of Class 3 construction; located in a business use district; erected in 1920; occupied as stores; and

WHEREAS, it is proposed to erect a porcelain facia of enameled metal extending 1½ in. beyond the building line of Burnside avenue and Morris avenue from sidewalk level to approximate level of roof beams; and

WHEREAS, the applicant contends that under section C26-440.0 of the Administrative Code it would be necessary to chase the wall for its entire face for at least 4 in. in order to comply; that as the existing wall is 12 in. brick laid up in lime mortar and is a bearing wall, it is not considered desirable to reduce same in thickness; that since the proposed projection may be removed at any time without causing the structure to become unsafe, it is contended that such facia may be permitted under sections C26-217.0 and C26-219 of the Administrative Code, since the entire proposed store front is part of an ornamental feature and has replaced an unsightly store front which existed heretofore.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 449-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the projection beyond the building line shall not exceed that shown on such plans now filed with the borough superintendent of buildings; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1004-40-A.

APPLICANT—Oscar Nusser, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: J. W. Garbutt.

For Administration: John J. O'Keefe, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

THE RESOLUTION—

(1004-40-A)

WHEREAS, Oscar Nusser, owner, filed October 18, 1940, an appeal from a decision of the borough superintendent of buildings; premises 228 Bay street, west side, 151 ft. north of Hannah street (Block No. 498, Lot No. 74), Tompkinsville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent of buildings, on Sign Application No. 14-39 and Building Notice Application No. 65-39, dated October 16, 1940, reads:

"Since the approval of your sign, the new Zoning Law, effective June 28, 1940, has been enacted. This prohibits the erection of a sign such as the one about which you are writing. For this reason, I do not have the authority to extend the permit for another year.

If you wish to erect the sign itself, for which you have already made preparations, we would suggest that you take the matter up with the Board of Standards and Appeals."

and

WHEREAS, the building is two stories (28 ft.) in height, 60 ft. by 80 ft. in area at first story and 60 ft. by 60 ft. in area at typical floor level; of Class 4 construction; located in a business use B area district; erected about 1900, and occupied as a sign establishment; and

WHEREAS, the applicant contends that on February 20, 1939, plans and applications were filed with the Department of Housing and Buildings in the Borough of Richmond, under Sign Application No. 14-1939 and Building Notice 65-1939, for the erection of a roof sign together with its necessary structural supports to be built on the roof of a two-story frame and brick building; that the building notice was filed covering the structural steel supports for the sign only, there being no other structure or part thereof supported by these new supports, which had to be carried from a point above the frame roof down to the top of the masonry construction at the underside of the second tier of beams; that the sign application was filed covering the sign structure as shown on the one common plan filed with both the sign application and building notice application; that the sign structure fee was paid to the Department of Housing and Buildings; that upon receipt of plans approved by the Department of Housing and Buildings on October 18, 1939, the owner proceeded slowly over a course of several months, as his income warranted, to purchase materials and prepare the building for installation of the vertical steel column supports, which supports, their bases and ties were put in place prior to June 28, 1940; that an affidavit is submitted herewith signed by the steel man stating that he installed this steel prior to June 28, 1940; that it is estimated that one-third of the work is completed; that the owner requests the Board to reverse the borough superintendent of building's decision inasmuch as all the preliminary and preparatory work for the sign supports were completed prior to June 28, 1940; that the plans and applications were filed over a year prior to the enactment of the law, and that the owner has already been put to considerable expense for something which would have no value other than for the purpose originally intended, a roof sign and its supports; and

WHEREAS, the committee of the Board found, upon inspection, that a substantial amount of construction had been done prior to the amendment of the zoning resolution effective June 28, 1940; and

WHEREAS, the Board deemed that it would be unjust not to complete construction.

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Resolved, that the decision of the borough superintendent of buildings, on Sign Application No. 14-39 and Building Notice Application No. 65-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed sign shall not be increased in area and that the structure shall comply in all other respects with all laws, rules and regulations applicable thereto.

1062-40-A.

APPLICANT—Saul Goldsmith, for James H. Gilvarry, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—259 Court street, east side, 23 ft. 5 in. north of Butler street (Block No. 402, Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1062-40-A)

WHEREAS, Saul Goldsmith, for James H. Gilvarry, owner, filed November 4, 1940, an appeal from a decision of the borough superintendent of buildings; premises 259 Court street, east side, 23 ft. 5 in. north of Butler street (Block No. 402, Lot No. 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, relating to Certificate of Occupancy No. 90832, dated November 1, 1940, reads:

"This is to acknowledge receipt of your communication of recent date concerning the revocation of the aforementioned Certificate of Occupancy.

Please be advised that your request is denied, inasmuch as such jurisdiction is vested in the Board of Standards and Appeals."

and

WHEREAS, the building is four stories and basement (50 ft.) in height, 25 ft. by 55 ft. in area; of Class 3 construction; located in a business use district; erected in 1880, and occupied since January 20, 1939, as follows: cellar, ordinary use; basement, store or restaurant; first story, vacant; second and third stories, one family each story; fourth story, vacant; it is proposed to be occupied: cellar, same; basement, same; first, second, third and fourth stories, two families per story; total, store and eight families; and

WHEREAS, Certificate of Occupancy No. 90832 was issued January 20, 1939, for the present use; and

WHEREAS, the applicant contends that the purpose of this appeal is to revoke Certificate of Occupancy No. 90832 so as to re-establish the status of the building to its original classification as an "old law tenement" in order to carry out Alteration Application 5482 filed with the borough superintendent of buildings on October 28, 1940; that the present Certificate of Occupancy No. 90832 was secured as a temporary expedient and not as a permanent occupancy; that it is now proposed to make the building comply with the Multiple Dwelling Law.

Resolved, that Certificate of Occupancy No. 90832 be and it hereby is *revoked*, restoring the building to its former classification as a tenement house, to permit the owner to carry through the alterations as proposed in full compliance with article 7 of the Multiple Dwelling Law.

1078-40-A.

APPLICANT—Brown and Matthews, Incorporated, for Long Island Railroad Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1), Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped street).

APPEARANCES—

For Applicant: H. G. Matthews.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1078-40-A)

WHEREAS, Brown and Matthews, Incorporated, for Long Island Railroad Company, owner, filed November 13, 1940, an application pursuant to section 35 of the General City Law, to permit the erection of a building in the bed of mapped streets, 58th avenue (Lawall avenue), 53rd street (Sophie street) and 52nd street (Richey street), (Block No. 2594, Lot Nos. 1 and 34, Block No. 2593, Lot Nos. 1 and 34, Block No. 2605, Lot No. 1, and Block No. 2606, Lot No. 1); premises 52-15 Grand avenue, north side, 465.30 ft. east of 49th (Owens) street, Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 6616-40, dated November 12, 1940, reads:

"1. Proposed building in bed of mapped streets contrary to Sec. 35, Art. 3, General City Law."

and

WHEREAS, the proposed building will be approximately 213 ft. by 720 ft. 6 in. in area; of Class 1 construction; located in an unrestricted use district; occupied as a bakery and for storage, 75 persons; and

WHEREAS, the applicant contends that the Long Island Railroad has operated a freight terminal on this property for several years; that the bed of 58th avenue through the east of the premises is at the present time occupied by buildings; that the streets in question are proposed on a final map but have not been legally opened or in use; that no proceedings have been commenced for acquisition; that the construction of the proposed building will permit the city to receive a substantial increase in taxes from the property and will provide employment for a large number of people in the Borough of Queens.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 6616-40, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the authority given the Board under section 35 of the General City Law, to permit the construction of the building as proposed within the bed of mapped streets, as shown on plans filed herewith, in view of the statement by the engineer of the Topographical Bureau of the Borough of Queens, under date of December 16, 1940, that an application will be made immediately to the City Planning Commission and the Board of Estimate and Apportionment for taking off the streets involved from the official map and substituting therefor a new street running diagonally from Grand avenue to 58th avenue, *on condition* that the land necessary for such proposed street shall be ceded by the owners without expense to the city and that a right-of-way shall be maintained from such street to Maspeth avenue, substantially as indicated on plan received from the Topographical Bureau of Queens under date of December 16, 1940; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that a yard hydrant sys-

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tem satisfactory to the fire commissioner shall be installed and maintained.

1107-40-A.

APPLICANT—Spier and Schwartz, for Andrew W. Leonard, Elizabeth A. Leonard and Gustave Butze, et al., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2111-2131 East 36th street, east side, 216 ft. 6 in. south of Avenue T (Block No. 8536, Lot Nos. 26, 28, 29, 31, 32, 34 and 35), and 2102-2148 East 36th street, west side, 170 ft. 10 in. south of Avenue T (Block No. 8535, Lot Nos. 46 to 49, inclusive, 52, 54 to 57, inclusive, 59, 60, 62, 63, 64 and 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: Gustave Butze and David W. Kirschen.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1107-40-A)

WHEREAS, Spier and Schwartz, for Andrew W. Leonard and Elizabeth A. Leonard and Gustave Butze, et al., owners, filed November 20, 1940, an appeal from a decision of the borough superintendent of buildings; premises 2111-2131 East 36th street, east side, 216 ft. south of Avenue T (Block No. 8536, Lot Nos. 26, 28, 29, 31, 32, 34 and 35), and 2102-2148 East 36th street, west side, 170 ft. 10 in. south of Avenue T (Block No. 8535, Lot Nos. 46, 48, 49, 52, 54, 55, 56, 57, 59, 60, 62, 63, 64 and 66), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings, dated October 21, 1940, reads:

“Replying to your letter of October 16, 1940, with respect to premises located at 2106, 2108, 2112, 2114, 2116, 2102, 2120, 2122, 2126, 2128, 2132, 2134, 2138, 2140, 2142, 2146, 2148, 2111, 2117, 2119, 2121, 2125, 2127, 2131 East 36th Street, Brooklyn, please be advised that your petition for exemption from connecting your present storm water drains in these buildings to the City sewers now being constructed, is hereby denied.

Section 26-1226.0 of the Administrative Code and Section 14.2.7 of the Building Code, provide for this connection as soon as the sewers are available.”

and

WHEREAS, the buildings in question are one story and basement in height; of Class 3 construction; each 22 ft. 8 in. by 46 ft. 6 in. in area; each occupied: basement, boiler-room, storage and recreation room; first story, dwelling, one family; and

WHEREAS, the applicant contends that an inspection of the Sewer Department plans shows that all of the buildings located on the street have storm water sewer connections, which are approximately 5 ft. above sea level, and that the storm water sewer will be approximately 6 ft. above sea level; that because of these conditions it will be extremely difficult and expensive to connect present storm water drains into the storm water sewer as proposed to be built by the city; that the buildings are attached, and if the owners were forced to connect into the storm water sewer as being built by the city, it would cost approximately \$350.00 for each building to make such connections; that in addition thereto it would create a condition which would destroy the usefulness of the finished basements (said basements being used by all as recreation rooms), because of the fact that it would be necessary to attach a pipe to the inside wall of said recreation rooms in

order to effectively make the connection from the storm water drains to the storm water sewer; that the plans on file in the Building Department show that there was no indication made of the elevation of the sewer connections of each of these buildings at the time of erection; that these premises are practically all FHA financed and purchased by individuals who do not have great earnings; that when these individuals purchased the premises and when certificates of occupancy were issued there was no sewer in the street; that the owners took it for granted because of the fact they were told by the builder that all of these buildings had the proper sewer connections in the event the city would at any time build a sewer; that if these owners were to be required to connect into the sewer it would cause great hardship on each of their parts because of the expense involved and because of the destruction of the beauty and usefulness of their present recreation rooms; that the owners have obtained expert opinion that the present storm water cesspools used by them are adequate and sufficient to take care of all of their storm water drainage due to the excellent condition of the cesspools in question and to the sandy soil in this vicinity; that if the owners were each required to expend the sum of approximately \$350.00, they would be spending a sum which is approximately 25 per cent. of the down payment made by each owner on the purchase of the said premises, which is approximately 6 per cent. of the assessed valuation of each of said premises; that in view of all the facts set forth, the petitioners hereby respectfully pray that this Board grant a modification to the owners from connecting their present storm water drains to the city sewers now being constructed.

Resolved, that the decision of the borough superintendent of buildings, dated October 21, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that connections to the sanitary sewer for each house shall immediately be made and the formerly used sanitary drain cesspool shall be completely filled; that the existing storm water dry well or cesspool shall be used for no other purpose than to receive the roof water and the yard drainage of each house; that in the event the storm sewer is reconstructed in the street at a proper elevation so as to permit the entrance thereto by gravity from each house, connections to such storm sewers shall be thereafter promptly made and the storm sewer cesspools or dry wells discontinued.

1113-40-A.

APPLICANT—George M. Gross, for Gross-Morton Park Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-03 and 73-07 189th street, southeast corner of 75th avenue and east side of 189th street, 581 ft. north of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0

THE RESOLUTION—

(1113-40-A)

WHEREAS, George M. Gross, for Gross-Morton Park Corporation, owner, filed November 22, 1940, an appeal from decisions of the borough superintendent of buildings; premises 73-03 and 73-07 189th street, southeast corner of 75th avenue (Block No. 7177, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of

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buildings, on New Building Application Nos. 7153 and 7164-40, dated November 18 and 22, 1940, respectively, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and
WHEREAS, the premises consist of a plot fronting 100.18 ft. on 75th avenue and 87.44 ft. on 189th street; located in a business use D area district; it is proposed to subdivide the plot into two separate lots and to erect thereon two two-story dwellings, 25 ft. in height and 24 ft. by 36 ft. and 28 ft. 4 in. by 33 ft. 6 in. in area, of Class 4 construction, with garages to be located within the buildings; and

WHEREAS, the applicant contends that the proposed buildings will be surfaced on the exterior of the first story with masonry veneer; that the roofs will be surfaced with natural slate; that the buildings will be set back from 189th street a distance of 24 ft. and from 75th avenue a distance of 15 ft. average and will have side yards on the north side not less than 6 ft. 8 in. and on the south side of not less than 5 ft.; that the buildings will be limited to one-family occupancy and no business will be conducted on the premises; that the use of this street for business purposes is impracticable; that to leave the site unbuilt upon would constitute a detriment and an eyesore to the neighborhood; that the owner is now constructing six hundred homes in this community and it is proposed to construct the buildings in question in harmony with the balance of the development.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application Nos. 7153 and 7164-40, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that each residence building shall be constructed substantially as proposed and shall comply as to zoning with the requirements of an F residential area and shall be limited to a residential occupancy of one family in each house; that in all other respects the building shall comply with the requirements of the Building Code for similar buildings erected outside the fire limits.

1141-40-A.

APPLICANT—Charles N. Whinston, for West 13th Street Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—408-412 West 13th street, south side, 124.2 ft. west of Ninth avenue (Block No. 645, Lot Nos. 35, 36 and 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles N. Whinston.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1141-40-A)

WHEREAS, Charles N. Whinston, for West 13th Street Realty Corporation, owner, filed December 3, 1940, an appeal from a decision of the borough superintendent of buildings; premises 408-412 West 13th street, south side, 124.2 ft. west of Ninth avenue (Block No. 645, Lot Nos. 35, 36 and 37), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on New Building Application No. 195-40, undated, reads:

"40. Awnings and marquees may extend over the sidewalk in connection with entrances to public buildings, theatres, hotels, multiple dwellings, large department stores and similar structures of an essentially public nature.

This building does not come under the classification of those indicated above. Therefore, the marquee as shown on plans filed Nov. 27, 1940, is forbidden. (2.4. 1.4. A. Code)."

and

WHEREAS, the building will be two stories (26 ft.) in height, 56 ft. 6 in. by 103 ft. in area; of Class 3 construction; located in an unrestricted use A area district; occupied: cellar, storage, no persons; first story, store, 10 persons; second story, office, 5 persons; and

WHEREAS, the applicant contends that the canopy requested should be permitted for the reason that it is essential to the conduct of the business to be transacted on the premises, which is that of a wholesale meat market; that this business cannot be conducted without the proposed weather protection; that every building used for similar business in the neighborhood is provided with a similar canopy.

Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 195-40, Objection No. 40, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed marquee shall not be less than 15 ft. in the clear above the sidewalk level and shall not exceed in area the dimensions indicated on plans filed with the borough superintendent of buildings under this new building application; that the marquee shall be entirely self-supporting from the building wall; that no sign shall be constructed on such marquee, and granted only so long as the building is occupied as a wholesale meat market; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1168-40-A.

APPLICANT—James Anderson, Jr., for Horn and Hardart Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1163-1167 Sixth avenue, west side, 25 ft. 4 in. north of West 45th street, and 103-107 West 45th street (Block No. 998, Lot Nos. 28, 29a, 29b, 30, 31 and 32), Borough of Manhattan.

APPEARANCES—

For Applicant: James Anderson, Jr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0

THE RESOLUTION—

(1168-40-A)

WHEREAS, James Anderson, Jr., for Horn and Hardart Company, owner, filed December 12, 1940, an appeal from a decision of the fire commissioner; premises 1163-1167 Sixth avenue, west side, 25 ft. 4 in. north of West 45th street, and 103-107 West 45th street (Block No. 998, Lot Nos. 28, 29a, 29b, 30, 31 and 32), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated November 26, 1940, reads:

"In answer to your letter of November 20th, 1940, requesting permission to use the present ventilating duct system from the roof to the first floor for conversion into an air cooling system by the direct method, please be advised that Section C19-98 (b) of the Administrative Code prohibits the carrying of such a system from floor to floor except from the basement to the first floor.

Relief from the requirements of the Ordinances may only be obtained through the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

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WHEREAS, the building is two stories (35 ft.) in height, 76 ft. by 120 ft. in area; of Class 3 construction; located in a business use district; erected in 1929, and occupied: cellar, kitchen, 15 persons; first story, restaurant, 200 persons; mezzanine, restaurant, 200 persons; second story, bowling and billiards, 25 persons; and

WHEREAS, the applicant contends that the existing air-washer ventilating and exhaust system is now in use for the restaurant space only; that the present ducts coming through the second story are enclosed in metal lath and plaster; that the proposed F-12 system will be located on the roof and will not constitute a fire hazard; that the proposed system will have a capacity of seventy-five pounds of air conditioning and will contain approximately 450 pounds of F-12 refrigerant; that all open flames in the kitchen space are hooded and mechanically ventilated to the roof; that the only objection by the fire commissioner is to the direct expansion coils in the air stream of the air washer on the roof in the stream of air going to the first story and mezzanine.

Resolved, that the decision of the fire commissioner, dated November 26, 1940, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation shall meet the requirements of the proposed Refrigerating Code as set forth in local law now under consideration by the City Council, Int. No. 356, and, in addition, that all ducts leading to the roof from the first story ceiling, carrying refrigerant or refrigerated air, shall be enclosed with fireproof materials consisting of terra cotta or gypsum block not less than 2 in. in thickness continuously, in addition to the proposed metal lath and plaster; that dampers shall be installed in such ducts between the first and second story levels; that there shall be a supplementary air exhaust system maintained throughout the first story, mezzanine and cellar, which shall be in operation at all times, exhausting to the roof at all times while the refrigerating system is in operation; that in all other respects the installation shall meet all the requirements therefor.

1169-40-A.

APPLICANT—Eugene Schoen and Sons, for Ritcor Realty Corporation, owner (Buitoni Spaghetti, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1562 Broadway, east side, 80 ft. 6 in. south of West 47th street (Block No. 999, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Schoen.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Assistant Chief McCarthy 3

THE RESOLUTION—

(1169-40-A)

WHEREAS, Eugene Schoen and Sons, for Ritcor Realty Corporation, owner (Buitoni Spaghetti, Incorporated, lessee), filed December 12, 1940, an appeal from a decision of the borough superintendent of buildings; premises 1562 Broadway, east side, 80 ft. 6 in. south of West 47th street (Block No. 999, Lot No. 64), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on an amendment to Alteration Application No. 3459-40, dated December 10, 1940, reads:

"9. Revolving sign is not acceptable as same is not a sign at right angles to the face of the wall, contrary to B 26-12.0, Adm. Code. Also, revolving sign is an unlawful projection, not being listed as permissible pro-

jections beyond the building line under C 26-319.0, Adm. Code."

and

WHEREAS, the building is seven stories (69 ft. 8 in.) in height, 20 ft. by 80 ft. in area; of Class 1 construction; located in a retail-1 use district; erected in 1915, and occupied: cellar, machinery room and storage; first story, restaurant, 60 persons; mezzanine, lockers, toilets and office; third to seventh stories, vacant; it is proposed to be occupied: cellar, machinery room, storage and locker rooms; first story, restaurant and bar, 58 persons; mezzanine, toilets and office, 2 persons; third to seventh stories, vacant; and

WHEREAS, the applicant contends that it is proposed to erect a truncated, conical steel drum sign, constructed of structural angles, channels and tees and having a gross weight of approximately 1,000 pounds; that the maximum upper diameter of the sign is 13 ft. 6 in. and will be splayed downward in cross section to a minimum lower diameter of 12 ft.; that the total height of the sign will be 3 ft. 6 in. at the perimeter; that the sign is an existing structure unit, having been used by the lessee at the World's Fair; that the sign is a circular revolving unit, supported on a center shaft and driven by a low speed gear directly connected to a motor housed within the entire assembly advertising the business connected on the premises; that the proposed sign will project a maximum of 6 ft. beyond the building line; that the lessee has a ten-year lease and will be subjected to hardship if he is not permitted to erect the sign as proposed as the frontage of his building is hemmed in on both sides by marqueses from adjoining buildings; that it is proposed to enclose the portions of the sign beyond the building line to protect them from excessive wear and tear occasioned by exposure to the weather; that the underside of the sign enclosure will be fitted with a trap door to permit access for oiling.

Resolved, that the decision of the borough superintendent of buildings, on Objection No. 9 of amendment to Alteration Application No. 3459-40 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1187-40-A.

APPLICANT—R. L. Troxell, for Swift and Company, owner (United Dressed Beef Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—406-414 East 44th street, south side, 149.67 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: R. L. Troxell.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4

Negative 0

THE RESOLUTION—

(1187-40-A)

WHEREAS, R. L. Troxell, for Swift and Company, owner (United Dressed Beef Company, lessee), filed December 17, 1940, an appeal from a decision of the borough superintendent of buildings; premises 406-414 East 44th street, south side, 149.67 ft. east of First avenue (Building Nos. 9, 10 and 11); (Block No. 1355, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application No. 3430-40, dated December 13, 1940, reads:

"1. Contrary to construct a frame addition to a building within the Fire Limits, as established 4.1.1. Building Code, Sec. 26-246, Adm. Code.

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2. Contrary to increase area of building beyond the tabular limits, as per 4.2.3 Building Code, Sec. 26-256.0 Adm. Code.

Contrary to increase height of building beyond tabular height."

and

WHEREAS, the building is three stories and basement (57 ft.) in height, 135 ft. by 85.87 ft. in area; of Class 4 construction; equipped with a sprinkler system; located in an unrestricted use district; erected in 1892, and occupied: cellar, viscera cleaning, 4 persons; first story, cooler and engine room, 4 persons; second story, cooler and shops, 16 persons; third story, coolers, 12 persons; fourth story, dressing rooms, 150 persons; it is proposed to be occupied: cellar, equipment washing, 2 persons; first story, cooler and engine room, 8 persons; second story, cooler and shops, 16 persons; third story, beef coolers and by products, 24 persons; fourth story, dressing room, 400 persons; and

WHEREAS, the applicant contends that the lessee operates all the buildings in this block; that by reason of the opening of 43rd street through to First avenue, it is necessary to rearrange the processing facilities in the block and that the proposed alterations are necessary in connection with such rearrangement; that it is necessary to provide a new dressing room for employees, and it is in relation to the proposed new dressing room that the objections are appealed from; that the proposed dressing room will be located on the main roof of the existing buildings, known as Nos. 9, 10 and 11; that the proposed dressing room will be located on the roof and will be approximately the same height above the main roof as existing dressing room occupying a portion of same; that the existing building, on the roof of which it is proposed to erect a new dressing room, has stone and brick walls, steel and cast iron columns on the lower stories and heavy timber columns in the upper stories; that portions of the lower floors are reinforced concrete slabs and brick arches, on steel beams, and the balance of the floors and roof are not less than 2 in. thick wood sheathing on wood joists 3 in. or more wide, on heavy wood girders 12 in. or more wide; that the entire building is sprinklered; that the construction of the proposed dressing room will be of brick walls with steel sash on the 44th street front; that other exterior walls will be of wood studs with 1 in. wood sheathing, faced with asbestos siding on the exterior and cement plaster over metal lath on the interior; that the partitions will be of wood studs with cement plaster over metal lath on both sides; that the floor will be of asphalt tile on 1 in. thick magnesite fill over 3 in. tongue and groove wood sheathing over 10 in. by 12 in. wood joists on heavy wood girders on 10 in. by 10 in. wood columns to the existing building columns; that the roof will be surfaced with approved gravel surfaced roofing over 3 in. tongue and groove wood sheathing on 8 in. by 12 in. wood joists and heavy timber girders on 8 in. by 8 in. wood columns; that the existing building is capable of carrying the existing load; that the addition proposed will be practically the same height as existing roof structures and will add less than 10 per cent. additional area; that the type of construction proposed is more fire-resistive than the balance of the building; that fireproof construction for the proposed dressing room in the location shown would be prohibitive in cost and interfere with the plant operation during construction.

Resolved, that the decision of the borough superintendent of buildings, on Alteration Application No. 3430-40, Objection Nos. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the extension shall be constructed substantially of the area and height as shown and of the construction as proposed; that the sprinkler system shall be extended into such space and also into the pipe space between the floor of the proposed extension and the ceiling of the floor below; that this modification shall be continued only so long as the extension is used as proposed in conjunction with the occupancy of the building as a whole by the United Dressed Beef Company or their successors in a similar line of business; that in all

other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

3-40-A.

APPLICANT—William W. Knowles, for Phelps Dodge Refining Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-58 57th avenue (formerly known as 47-14 56th drive), south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens.

APPEARANCES—

For Applicant: William W. Knowles and John G. Hotchkiss.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(3-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, affecting premises 47 14 56th drive, south side, 97.98 ft. east of 47th street (Block No. 2554, Lot No. 50), Laurel Hill, Borough of Queens, was granted by the Board January 9, 1940, on certain conditions, and the owner requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 9, 1940, so that as amended the resolution shall read:

"Resolved, that the decision of the borough superintendent of buildings, on New Building Application No. 10199-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the building shall not be increased in height or area; that the use shall be as proposed; that the fire protection shall be as set forth and maintained to the satisfaction of the fire commissioner, and *granted* only so long as this building is used as an adjunct to the factory buildings of the Phelps Dodge Refining Company or their successors, located on the same premises; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in the event the owner desires to extend the building, of similar construction as heretofore permitted and as passed on by the borough superintendent of buildings under Alteration Application No. 2888, Objection No. 1, such extension may be permitted as indicated on plans received December 10, 1940, on condition that the entire extension is constructed throughout of steel, including the roof decking, which shall be of steel of an approved design."

956-40-A.

APPLICANT—Eggers and Higgins, for The F. and M. Schaefer Brewing Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to additional story—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—448-456 Kent avenue, northwest corner of South 10th street (Block No. 2143, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: O. L. Warady.

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ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(956-40-A)

WHEREAS, this appeal from a decision of the borough superintendent of buildings, affecting premises 448-456 Kent avenue, northwest corner of South 10th street (Block No. 2143, Lot No. 1), Borough of Brooklyn, was granted by the Board October 29, 1940, on certain conditions, the resolution amended November 6, 1940, and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 29, 1940, as amended by resolution adopted November 6, 1940, by adding thereto:

"that in the event the owner desires to extend the building as hereinbefore proposed by the addition of one story to be occupied for laboratory purposes and as indicated on application filed with the borough superintendent of buildings under Alteration Application No. 2114-40, such extension may be permitted, provided the extension is constructed throughout of incombustible materials; that the standpipe equipment shall be made available as provided for the lower floors; that an additional means of exit shall be provided to the roof of the adjoining building and that a wet or dry sprinkler system shall be maintained throughout the floor supplied by water by means of two (2) approved automatic pumps, cross-connected, one with a capacity of 250 gallons and one with a capacity of 500 gallons."

APPLIANCES SUBMITTED FOR APPROVAL.

221-34-SA.

APPLICANT—H. A. Nash, for Ohio Pattern Works and Foundry Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Metropolitan Curb Fill Box—re use for fuel oil in addition to gasoline.

APPEARANCES—

For Applicant: W. A. Monroe.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

662-39-SA.

APPLICANT—Carrier Corporation, owner.

SUBJECT—Carrier Kroy Unit Heater, Types 46E, 46P, 46Q and 46R, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(662-39-SA)

WHEREAS, Carrier Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals

for approval of the appliance known as the Carrier Kroy Unit Heater, Types 46E, 46P, 46Q and 46R; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 16, 1940.

Re: Cal. No. 662-39-SA.

Subject: Carrier Kroy Unit Heaters, Types 46E, 46P, 46Q and 46R, approval of.

The Carrier Corporation filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the Carrier Kroy Unit Heater, Types 46E, 46P, 46Q and 46R, under the provisions of C26-191.0 (2.2.3) of the Administrative Building Code. These units consist of a coil constructed of copper Aerofin tubing with supply and return headers on one side of the unit which are supplied with steam or hot water from an outside source. This return bend is so constructed as to eliminate expansion and contracting strains. The coil is enclosed in a casing having adjustable louvers for directional regulation of air flow. The disc fan is mounted on the motor shaft. The motors are of the fully enclosed type and are mounted on the rear of the units by tubular arm brackets. The sizes in these models cover ranges in capacity from 18,000 B.t.u. at 400 c.f.m. to 475,000 B.t.u. at 5,200 c.f.m.

The motors are single speed: 110 volts and 220 volts single phase; 220 volts, 440 volts and 550 volts 2 or 3 phase; 115 volts and 230 volts D.C. Two speed: 110/220 volts single phase. Multi-speed: 110/220 volts single phase 115 volts and 230 volts D.C.

Note: Size 46E-122 furnished in single speed and three-speed only.

The Types 46P, 46Q and 46R Carrier heat diffusing are used for heating and ventilating large, open rooms such as are found in factories, warehouses, hangars, garages, and similar buildings.

The 46P is a suspended unit which can be suspended vertically in either upright or inverted positions. The 46Q is a floor mounted unit. The 46R is also a suspended type unit but is suspended in the horizontal position.

These units employ a thermostatic control which uses by-pass dampers to regulate the volume of heated and by-passed air for the purpose of controlling the heat output of the unit to balance exactly the heating requirements. This feature provides for continuous operation of the fans to maintain constant air circulation and uniform temperature conditions throughout the heated space.

Steam or other heating is supplied to these cabinets from an outside source. These units were inspected and tested by a committee of the Board at the plant of the applicant at Syracuse, New York.

On the basis of this inspection and tests, the Committee recommends that the Carrier Kroy Unit Heater, Types 46E, 46P, 46Q and 46R, be approved for voluntary use in New York City, provided that the unit be manufactured and installed in accordance with this report and each installation be labeled reading as follows: "Approved by the Board of Standards and Appeals for voluntary use in New York City under Cal. No. 662-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Carrier Kroy Unit Heater, Types 46E, 46P, 46Q and 46R, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1137-40-SA.

APPLICANT—Caloroil Burner Corporation, owner.

SUBJECT—Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as the Caloroil Heavy Oil Oil Burners, Models HR-4H, HR-5H and HR-6H, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(1137-40-SA)

WHEREAS, Caloroil Burner Corporation, owner, filed December 2, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as the Caloroil Heavy Oil Oil Burner, Models HR-4H, HR-5H and HR-6H; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 16, 1940.

Re: Cal. No. 1137-40-SA.

Subject: Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as the Caloroil Heavy Oil Oil Burner, Models HR-4H, HR-5H and HR-6H, approval of.

The Caloroil Burner Corporation, of Hartford, Connecticut, filed December 2, 1940, an application with the Board of Standards and Appeals for approval of the Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as the Caloroil Heavy Oil Oil Burner, Models HR-4H, HR-5H and HR-6H, under the provisions of C19-57, Administrative Code, and the Oil Burner Rules of the Board of Standards and Appeals. These are mechanical draft oil burners suitable for installation in steam or hot water boilers and are similar to the burners previously approved by the Board under Cal. No. 327-31-SA for fuel oil not heavier than No. 5, except that there has been provided a Wells Electric Preheater 5,000 watts one horsepower motor so that the burners may be operated with No. 6 oil. Ignition is electric and expanding gas.

All models are floor mounted so that there is no strain on the boiler front or direct contact with the boiler in any way. They may be pulled back from the boiler adaptor on a shut-down period or for cleaning the atomizer, but while under fire are locked in place by the use of a covered slide which is cemented in the concrete behind the burner. The rear leg fits in this slide while those in front operate on rollers.

Each fully automatic burner is equipped with two electric oil valves, one to regulate the low fire and the other controlling the high fire. When the thermostat calls for heat, the ignition and low fire valve open with the motor and a small amount of oil is ignited in the

combustion chamber; then the high fire valve is brought in when the combustion control makes its cycle.

A relief valve is used to regulate the oil pressure which assures uniform feed to the atomizer at all times.

A brass atomizer cup is employed, which is machined to a perfect balance and secured to the burner shaft with a right-hand threaded atomizer flange. Oil coming from the jet tube drops on the inner surface of the revolving atomizer cup, from which it is discharged at a high velocity by centrifugal force which breaks the oil particles into a fine spray or mist, and in this form is mixed with primary air delivered through and around the atomizer cup.

Primary air is supplied by an aluminum fan, dynamically balanced on the burner shaft within the housing and secured by a "Woodruff" key and two locknuts.

The burner shaft is supported by two ball bearings, one in the front housing ahead of the fan and the other between the fan and pump gear housing.

The oil pump is attached to the rear burner housing and driven at a reduced speed through a gear reduction composed of a steel worm on the burner shaft and a fiber idler gear, both of which are enclosed in the burner housing.

Filters employed are of the disc type, one being mounted at the factory between the pump and electric oil valves while the second is shipped with the burner and should be mounted in the suction line ahead of the pump at the time of installation.

The controls consist of M. H. Protecto-stat R232, Protecto-relay R132.

The burners have been approved by the Underwriters' Laboratories, File MP445, MP567 and MP684.

The models differ only as to steam capacity, 211H and HR-4H being 4,000 ft. steam radiation, 311H and HR-5H being 7,000 ft. steam radiation, and 114H and HR-6H being 20,000 ft. steam radiation. The burners were inspected by the committee of the Board and found to operate without undue carbon deposits and puff backs. Controls operated to shut down machine in ninety seconds following flame extinguishment.

It is recommended that the Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as Caloroil Heavy Oil Oil Burner, Models HR-4H, HR-5H and HR-6H, be approved for use in domestic, commercial and industrial installations with fuel oil not heavier than No. 6 U. S. Department of Commerce standards, with preheater, on condition that the burners be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and the report. That the operator of the burner have a certificate of fitness issued by the fire commissioner and that the burner have label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1137-40-SA." The operator of the burner must have a certificate of fitness.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Silent Glow and Midwest Heavy Oil Oil Burners, Models 211H, 311H and 114H, also known as the Caloroil Heavy Oil Oil Burner, Models HR-4H, HR-5H and HR-6H, *on condition* that the appliance be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

MINUTES

MATERIALS SUBMITTED FOR APPROVAL.

131-39-SM.

APPLICANT—Johns-Manville Sales Corporation, for Pittsburgh Steel Company, owner.

SUBJECT—Johns-Manville Steeltex for Plaster, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

69-39-SM.

APPLICANT—Multi-Seal Sales Company, for Charles J. Bitowf, owner.

SUBJECT—Multi-Seal Ductile Rivets, All Steel Mechanical Rivets, All Steel Speed Rivets and Multi-Seal Pipe Connector, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(69-39-SM)

WHEREAS, Multi-Seal Sales Company, for Charles J. Bitowf, owner, filed January 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Multi-Seal Ductile Rivets, All Steel Mechanical Rivets, All Steel Speed Rivets and Multi-Seal Pipe Connector; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

108-39-SM.

APPLICANT—Eddystone Portland Puzzolan Cement Company, owner.

SUBJECT—Eddystone Portland-Puzzolan Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(108-39-SM)

WHEREAS, Eddystone Portland Puzzolan Cement Company, owner, filed January 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Eddystone Portland Puzzolan Cement; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

195-39-SM.

APPLICANT—Cities Service Oil Company, owner.

SUBJECT—"Montezuma" Coating Asphalt, Saturating Asphalt and Built-Up Roofing Asphalts, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(195-39-SM)

WHEREAS, Cities Service Oil Company, owner, filed February 20, 1939, an application with the Board of Standards and Appeals for approval of the material known as "Montezuma" Coating Asphalt, Saturating Asphalt and Built-Up Roofing Asphalt; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

487-39-SM.

APPLICANT—Flexement Products Company, for C. F. Mauer, owner.

SUBJECT—Flexement Products, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(487-39-SM)

WHEREAS, Flexement Products Company, for C. F. Mauer, owner, filed April 18, 1939, an application with the Board of Standards and Appeals for approval of the material known as Flexement Products; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

744-39-SM.

APPLICANT—Herman Rodstein, for Vac-O-Vent Company, owner.

SUBJECT—Vac-O-Vent Ballcock, Model A, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(744-39-SM)

WHEREAS, Herman Rodstein, for Vac-O-Vent Company, owner, filed June 6, 1939, an application with the Board of Standards and Appeals for approval of the material known as Vac-O-Vent Ballcock, Model A; and

WHEREAS, the applicant failed to prosecute the application for approval although duly notified to do so.

MINUTES

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

1275-39-SM.

APPLICANT—Master Builders Company, owner.

SUBJECT—Master Builders Pozzoloth (hardener and waterproofer for concrete floors), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1275-39-SM)

WHEREAS, Master Builders Company, owner, filed October 16, 1939, an application with the Board of Standards and Appeals for approval of the material known as Master Builders Pozzoloth; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 11, 1940.

Re: Cal. No. 1275-39-SM.

Subject: Master Builders Pozzoloth, approval of.

Master Builders Company, of New York City, New York, filed October 16, 1939, an application with the Board of Standards and Appeals for approval of its material known as Pozzoloth, under the requirements of section C26-178.0,b (2.1.2.5,b) of the Administrative Building Code.

Pozzoloth, a combination of a ferric alumino silicate and a cement plasticizing agent, is a dry-powdered compound designed to increase the strength, reduce the permeability, increase the resistance to freezing and thawing and reduce the water content in concrete in which it is used. The normal proportion of Pozzoloth for use in concrete mixers is two one-pound bags per bag of cement. In concentrated form one pound to the bag suffices.

The following tests were conducted on concrete mixes in which Pozzoloth was used:

Report dated May 4, 1938.

THE THOMPSON & LICHTNER CO., Inc.

Boston, Mass.

Permeability Test Under 40" Water Pressure for 45 Hours

	MIX A	MIX B
	1—2.2—3.8	1—2.2—3.8
	W/C-0.695	W/C-0.695
	Pozzoloth	Pozzoloth
	2 lb. sack	2 lb. sack
	Slump 2"	Slump 2"

Average total flow into specimen—C.C. per hour	30.31	24.44
Average flow for entire period—C.C. per hour ..	0.675	0.543
Relative rate	1.000	0.805
Approximate Density at 28 Days		
Weights per cu. ft.—average of six cylinders—tested for permeability..	143.1 lbs.	143.9 lbs.
28 Day Compressive Strength		
Average of three 6 in. x 12 in. specimens	3,353 lbs.	4,320 lbs.
Average Weights Per Cu. Ft.		
Three 6 in. x 12 in.	145.3 lbs.	145.8 lbs.

Freezing and Thawing Test on ordinary and Pozzoloth Concrete—Lehigh University

The nominal mix for the concrete used in this study was 1.0 part cement, 3.6 parts sand and 5.4 parts aggregates by weight. Three actual mixes based upon the nominal mix were designed to study the effect of Pozzoloth admixture. The specimens in Group IV were made without any admixture. Group V was made by adding two pounds of Pozzoloth admixture to the mix and using 15 per cent. less water than Group IV. Two pounds of Pozzoloth per sack of cement were added to Group VI in addition to 20 per cent. more aggregate.

The actual mixes for each group were as follows:

GROUP IV	GROUP V	GROUP VI
	15% less water than GROUP IV.	20% more aggregate. Pozzoloth added—2 lb. per sack of cement.
Pounds	Pounds	Pounds
Cement 6.50	Cement 6.50	Cement 6.50
Water 6.59	Water 5.60	Water 6.59
Sand 23.40	Sand 23.40	Sand 28.10
3/8 in. Aggregate 14.00	3/8 in. Aggregate 14.00	3/8 in. Aggregate 16.80
3/4 in. Aggregate 21.10	3/4 in. Aggregate 21.10	3/4 in. Aggregate 25.30
Slump—1 1/4 in.	Slump—1 in.	Slump—3/4 in.

Five 3 in. x 6 in. concrete cylinders were made of the three mixes. After seven days of moist curing, the concrete specimens were placed in water and subjected to the freezing and thawing cycles. The weights of the specimens were checked at various intervals and at the end of 150 cycles the tests on Groups IV, V and VI were discontinued.

TEST RESULTS

The average weight in grams of the five specimens in each group at each inspection are presented in Table 1.

No. of cycles	Group IV	Group V weight in grams	Group VI
1	1623	1613	1606
11	1634	1623	1617
18	1634	1625	1619
24	1635	1628	1620
27	1629	1626	1617
30	1623	1624	1614
34	1615	1631	1619
40	1572	1627	1612
50	1436	1611	1526
60	1357	1605	1503
75	1294	1593	1415
90	1132	1570	1283
100	1034	1556	1199
110	881	1524	1150
125	667	1495	1121
140	500	1472	1094
150	437	1453	1059

Tests were also made by the R. W. Hunt Company, Report No. 6972, to ascertain the effects of using Pozzoloth with regular and high early strength Portland cement on the per cent. of water required, slump and strength with results summarized as follows:

MINUTES

Mix	Pints Water	Pozzolith in ounces	Slump in inches	Compressive Strength Lbs. Per Sq. In.		
				1 day	2 days	7 days
*1	5.7	0	2 7/8	163	504	1826
*2	4.625	4.8	3 (plus)	167	761	2304
Pozzolith mix has 19% less water.				Same Slump	Plus 40% — Greater Strength—	Plus 26%
\$3	5.5	0	2 1/3	862	1613	2890
\$4	4.880	5	2 2/3	1161	2301	3581
Pozzolith mix has 11 (plus) % less water.				14% more slump	37 1/2% — Greater Strength—	42.6% 23.9%
				* Standard Cement.		
				§ High Early Strength Cement.		

On the basis of the foregoing data and an examination of additional data filed with the application, together with test reports from the Division of Analyzing and Testing, President of the Borough of Queens, all of which indicate that concrete in which Pozzolith is used attain the required strengths, the Committee recommends the approval of Pozzolith as an admixture to approved cements in quantities not in excess of 1 per cent. for permissive use under the provisions of section C26-178.0,b (2.1.2.5,b) of the Administrative Building Code, and, further, provided that plans filed in the Department of Housing and Buildings shall be so stamped.

It is further recommended that the containers in which Pozzolith is marketed be labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 1275-39-SM" and that such containers be proportioned in individual bags with contents based on adding not more than 1 per cent. by weight for each bag of ninety-four pounds of cement.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Master Builders Pozzolith, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

175-40-SM.

APPLICANT—Juniper Elbow Company, Incorporated, owner.

SUBJECT—"Everbrite" Stainless Steel Flue Pipe, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(175-40-SM)

WHEREAS, Juniper Elbow Company, Incorporated, owner, filed February 14, 1940, an application with the Board of Standards and Appeals for approval of the material known as "Everbrite" Stainless Steel Flue Pipe; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 11, 1940.

Re: Cal. No. 175-40-SM.

Subject: "Everbrite" Stainless Steel Flue Pipe, approval of.

The Juniper Elbow Company, Incorporated, of Maspeth, New York, filed February 14, 1940, an application for the approval of the "Everbrite" Stainless Steel Flue Pipe for use of venting gas or other fuel-fired appliances to a legal chimney for uses as specifically provided for in article 12 of the Administrative Building Code, titled "Heating Appliances, Combustion and Chimneys."

"Everbrite" flue pipes are manufactured by the applicant from a stainless steel alloy known as 18-8 chrome nickel steel with an analysis as follows:

Chromium	18%
Nickel	8%
Silicon	0.31%
Manganese	0.35%
Phosphorus	0.027%
Sulphur	0.018%
Carbon	0.10%
Iron	remainder

The stock is put into rolls and fabricated to the proper diameter and the ends are secured by an interlocked seam so as to provide a rigid connection. Elbows are manufactured similarly except that instead of the interlocked seam, rivets are used to secure the edges of the stock. Each elbow consists of several parts so designed that each segment is seated and held in a groove arranged to mate with the adjoining section. In this type of connection, which appears to be reasonably tight, the elbow can be so turned as to fit any elbow condition that may arise in the field. Additional fastening between units is obtained by means of securing with sheet metal screws. An examination of samples submitted and a job installation indicate good workmanship and suitability to the use intended.

Reports of the American Gas Association, titled "Organic Sulphur" (1939), filed herewith, of the committee investigating the corrosive effects of sulphur in the flues of gas-fired appliances in a paper by L. Schnidman and J. S. Yeaw, give losses of various metal due to corrosion effects of flue gases as follows:

AVERAGE CORROSION DATA

Fuel Gas Burned	a	b	c	d
Gr. S/100 Cu. Ft. Fuel ..	0.0	0.4	9.0	330
Test Piece				
No. Type of Metal	Loss Lbs./1,000	Sq. Ft./Year		
12 Commercial Lead	7 6	44 28		
11 Black Iron	41 115	834 619		
9 Commercial Zinc	2 3	62 461		
2 Chrom-Nickel Stainless Steel	0.00 0.03	0.06 0.10		
1 Chromium Steel	0.00 0.19	70 471		
5 Aluminum	0.13 0.19	22 250		
4 Al-Mg Alloy	0.19 0.22	22 296		
3 Al-Cu Alloy, Al coated	— —	84 280		
6 Silicon Bronze	9 12	136 1314		
8 Si-Mn Bronze	— —	137 1330		
7 85-15 Brass	4 10	144 1373		
10 Commercial Copper	7 10	152 1354		
15 Monel Metal	0.6 2.2	— —		

MINUTES

- a Sulfur-Free Natural Gas.
- b Odorized Natural Gas.
- c Purified Manufactured Gas.
- d Foul Manufactured Gas.

The Chrom-Nickel Stainless Steel in the above table is of the composition taken from the same proceedings as follows:

CHROMIUM STEEL		Per Cent
Cr	.....	16.08
Ni	.....	.267
Si	.....	.273
Mn	.....	.37
P	.....	.020
S	.....	.014
C	.....	.076
Fe	.....	rest

Another paper by E. J. Murphy reported in the same proceedings gives an indication of similar properties of 18-8 stainless steel when compared to other flue pipe materials. From the foregoing, it appears that flue pipe material made of a stainless steel alloy as described herein has properties of resisting corrosion caused by gases common in pipe flues.

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Everbrite" Stainless Steel Flue Pipe and Connections when made of material and used as provided herein in such sizes and for such specific uses that are provided for in article 12 of the Administrative Building Code titled "Heating Appliances, Combustion and Chimneys."

It is further recommended that each bundle, box or container of this material be stamped, labeled or marked, reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 175-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material,

Resolved, that the Board of Standards and Appeals does hereby approve the material known as "Everbrite" Stainless Steel Flue Pipe, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

712-40-SM.

APPLICANT—Chemical Marketing Company, owner.

SUBJECT—Tricosal Normal, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(712-40-SM)

WHEREAS, Chemical Marketing Company, Incorporated, owner, filed June 28, 1940, an application with the Board of Standards and Appeals for approval of the material known as Tricosal Normal; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 29, 1940.

Re: Cal. No. 712-40-SM.

Subject: Tricosal Normal, approval of.

Chemical Marketing Company, Incorporated, of New York, filed on June 28, 1940, with the Board of Standards and Appeals an application for the approval of its material known as Tricosal Normal under the requirements of section C26-178.0,b (2.1.2.5), Administrative Building Code.

Tricosal Normal is an admixture to concrete, cement mortar and plaster manufactured by the Chemical Marketing Company, Incorporated, of New York City, New York, at the plant of the Maywood Chemical Works, New Jersey. It is a neutral, non-poisonous liquid containing sodium salts of Lysalbinic and Protalbinic acids which are the split products derived from a partial hydrolysis of proteins. The maximum amount used in any specification is one-half of 1 per cent. Tricosal Normal by weight of cement and in the mixture, Tricosal Normal is chemically inert. Cement particles absorb the lyophylic colloid particles and acquire all the properties of lyophylic colloidal solutions; namely, (1) exert a protective action thus causing cement particles to remain in suspension and so increasing the plasticity of the mixture, the whole mass behaving as a solution instead of a mixture; (2) increase the viscosity with increasing concentration, and (3) lower the surface tension.

The claims of the applicant which are substantiated by a report dated February 15, 1937, of the Joseph A. Kitts Company, of San Francisco, California, are as follows: Better workability, higher strength, reduction of water and aggregate in a unit volume of concrete thus reducing shrinkage.

Tests on concrete in which Tricosal Normal was used as an admixture were conducted at the laboratories of the Robert W. Hunt Company (Report No. 71566 filed herewith) with results as follows:

Materials

Long Island Sand
Long Island Gravel, Graded 1/4 in. to 1 in.
Standard American Portland Cement
New York City Water
Tricosal

Storage: one day in molds; six days in moist cabinet (seven days). One day in molds; twenty-seven days in moist cabinet (twenty-eight days) at 70-72 degrees Fahrenheit, 95 (plus) humidity.

Proportions by Volume

Cement-Sand-Gravel—1-2.35-3.65

Cement actual per yard of concrete (calculated)—
5 1/2 bags.

Admixture per Sack of Cement

Tricosal	.....	None	1/2 %	1.0 %
Slump, inches	.....	5	5	5
Water, gallons per bag of cement	.....	7.5	6.6	6.25

Crushing Strength, Pounds per Sq. In.

Seven Days	.....	1924	2296	2340
		1848	2276	2432
		1953	2248	2474
Average	.....	1908	2273	2415
Twenty-eight Days	.....	2802	2856	3271
		2772	2882	3179
		2691	2936	3118
Average	.....	2755	2891	3189

Tricosal	.....	None	1/2 %	1.0 %
Water Cement Ratio	....	1.00	.882	.836
Water Ratio to Batch		—	88.20	83.6
Per Cent. Increase in Strength (seven days)	..	—	11.91	12.66

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Tests were conducted by the Smith-Emery Company, Los Angeles, California, dated October 31, 1940, on 1:3 and 1:4:5 mortars using lime putty and Tricosal Normal as an admixture in quantities up to ½ per cent. by weight of cement. With the use of Tricosal Normal the bond and shear strengths between the mortar and brick were equal to or greater than with the use of lime putty alone as an admixture.

On the basis of the foregoing tests and an examination of additional test data filed with the application, which indicate that concrete and cement mortars in which Tricosal Normal is mixed in proportions up to ½ per cent. attain the required strengths, the Committee on Tests recommends the approval of Tricosal Normal as an admixture to approved cements for permissive use in concrete and in cement mortars under the provisions of section C26-178.0,b (2.1.2.5,b) of the Administrative Building Code when used in quantities up to ½ per cent. by weight for better workability, plasticity, waterproofing, elimination of shrinkage and the reduction of laitance and efflorescence.

It is further recommended that the containers in which this material is marketed be labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 712-40-SM when used in quantities up to ½ percent. by weight of the cement."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Tricosal Normal, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

997-40-SM.

APPLICANT—Hardwood Products Corporation, owner.

SUBJECT—Kim-Wood Fire (Proof) Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(997-40-SM)

WHEREAS, Hardwood Products Corporation, owner, filed October 14, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Kim-Wood Fire (Proof) Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 12, 1940.

Re: Cal. No. 997-40-SM.

Subject: Kim-Wood Fire (Proof) Door, approval of.

Hardwood Products Corporation, of Neenah, Wisconsin, filed with the Board of Standards and Appeals on October 14, 1940, an application for the approval of its material known as the Kim-Wood Fire (Proof) Door under the requirements for fireproof doors as pro-



FIGURE 1

vided in C26-610.0 (10.1.18) and C26-662.0 (10.8.3) of the Administrative Building Code.

This door is manufactured at the applicant's plant in Neenah, Wisconsin. The process of manufacturing was witnessed by Charles M. Blum, commissioner of the Board of Standards and Appeals, on October 25, 1940, at which time two doors made in his presence were selected by him to be tested at the Protexol Testing Laboratory in Kenilworth, New Jersey (Report No. 104 filed herewith). The sample tested (Fig. 1) was a full size door assembly consisting of a flush type wood door, 2 ft. 11 ¾ in. wide, 7 ft. high and 1 ¾ in. thick, mounted in a pressed steel combination buck and frame, the complete assembly being set in the masonry wall of the test furnace door. The wood except for the face veneers had been treated with solutions of ammonium salts under a vacuum and pressure system to render it fire-resistant. The core was built up of tongued and grooved red wood blocks 7/8 in. to 1 ¾ in. wide by the thickness of core. In random lengths, with joints staggered and glued with standard core joint glue. The edges were ¾ in. wide overall, by the thickness of the core, by the height of the assembly. Cross bands were of gum wood 1/8 in. thick, extending across the full width of the door. Urea resin glue was used on the cross banding and face veneers which were of untreated wood not over 1/16 in. thick. The latching mechanism required an opening through the door 1 ½ in. in diameter, 2 ½ in. o.c. from the edge for the spindle housing and a

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$\frac{7}{8}$ in. square opening to the edge for the latch housing.

The door was hung on three 4 in. x 4 in. loose pin butt hinges, fitted with a "Rylock" having a throw of $\frac{1}{2}$ in. and hung so as to swing into the test furnace. Clearances were $\frac{1}{8}$ in. at the top, $\frac{3}{16}$ in. at the bottom; at the lock stile $\frac{1}{32}$ in. at the bottom to $\frac{1}{8}$ in. at the top; at the hinge stile a scant $\frac{1}{32}$ in.

The test furnace is a fire brick structure approximately 10 ft. wide, 2 ft. deep and 12 ft. high with a swinging door having a rough opening 62 in. x 93 in. in which the test sample was set. In front of the furnace is a vestibule about 8 ft. x 8 ft. x 8 ft. which provides facilities for observation of smoke and flame passage as well as temperature rise. This vestibule was constructed upon the suggestion of the New York Board of Buildings to simulate the conditions of entrance or corridor halls in multiple dwellings in which one hour fire doors are required. Drawings of the furnace and the vestibule are attached.

Gas is supplied to the heating burners through a manifold at the back of the furnace with suitable controls for regulating the temperatures in the combustion chamber. A sufficient number of chromel-alumel thermocouples is provided for the determination of furnace temperatures and temperatures on the unexposed face of the test sample. Six ports in the sides of the furnace facilitate observations within the furnace on the exposed face of the test sample.

An enclosed thermocouple is suspended within the vestibule at a height of 5 ft. 6 in. from the floor and 2 ft. from the unexposed center face of the sample. This couple is connected to a recording instrument which provides an automatic record of the temperatures within the vestibule.

Air changes within the vestibule are secured by means of an exhaust blower mounted on the wall of the vestibule regulated to give ten air changes per hour.

An apparatus is also provided for observing draft conditions within the furnace itself, and these conditions are subject to regulation by the adjustable damper mounted in the flue which disposes of the spent gases. This apparatus consists of a small open flame kerosene lamp placed at the outer end of a $\frac{3}{4}$ in. pipe passing through the furnace door at a point 10 in. to the right of the middle of the hinge side of the door. The direction of air flow between the furnace chamber and the vestibule can thus be observed at all times.

The test was conducted in accordance with the standard time temperature curve and maintained within the 5 per cent. area tolerance for the forty-five-minute period. On the exposed side at the ten-minute interval the veneer had been consumed; at the twenty-minute interval the char on the exposed side began to glow near the bottom of the sample; at forty-four minutes small pieces of char dropped out of the exposed face near the center of the panel; at the end of the test there was no further change in the condition of the sample except enlargement of the lock opening on the exposed face. The unexposed face presented substantially the same appearance as at the start of the test. The average rise of the temperature at the end of three-quarters of an hour was 152 degrees Fahrenheit on the unexposed face. The test was discontinued after forty-seven minutes because of an opening due to warping of the bottom of the door on the lock stile side.

Following the fire test of the assembly timber, crib and shavings, tests were made on samples selected by Commissioner Blum from the treated material, out of which the door test sample was fabricated. These tests were made in accordance with the requirements of article 8, sub-article 2, group 3, of the Administrative Building Code, entitled "Tests of Fireproofed Wood." The results of these tests were as follows:

Timber Test—Flame eight seconds, no glow, unburned area 52 per cent.

Crib Test—No flame, no glow.

Shavings Test—No flame, no glow.

On the basis of the foregoing data, the Committee recommends the approval of the Kim-Wood Fire (Proof) Door (Fig. 1) and combination metal buck and frame for use as an opening protective assembly in fire-poor walls and partitions (required to have a fire-resisting rating of three-quarters hour) under section C26-662.0 (10.8.3), Administrative Building Code, for use wherever a fireproof (three-quarters hour) door is required, when constructed and hung strictly in accordance with the specifications set forth herein. No other lock, which requires more cutting than the "Rylock" used in the test, shall be inserted in this door. In assembly of wood material only Urea Resin Glue shall be used.

The Committee further recommends that all opening protective assemblies manufactured under this approval shall comply with the rules of the Board of Standards and Appeals for the inspection and identifying of Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Kim-Wood Fire (Proof) Door, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

1041-40-SM.

APPLICANT—Olsen Products, Incorporated, owner.

SUBJECT—Olsen Gypsum Lath Spring Wire Clips, PC, PS and Corner Clips, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1041-40-SM)

WHEREAS, Olsen Products, Incorporated, owner, filed October 30, 1940, an application with the Board of Standards and Appeals for approval of the material known as Olsen Gypsum Lath Spring Wire Clips, PC, PS and Corner Clips; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

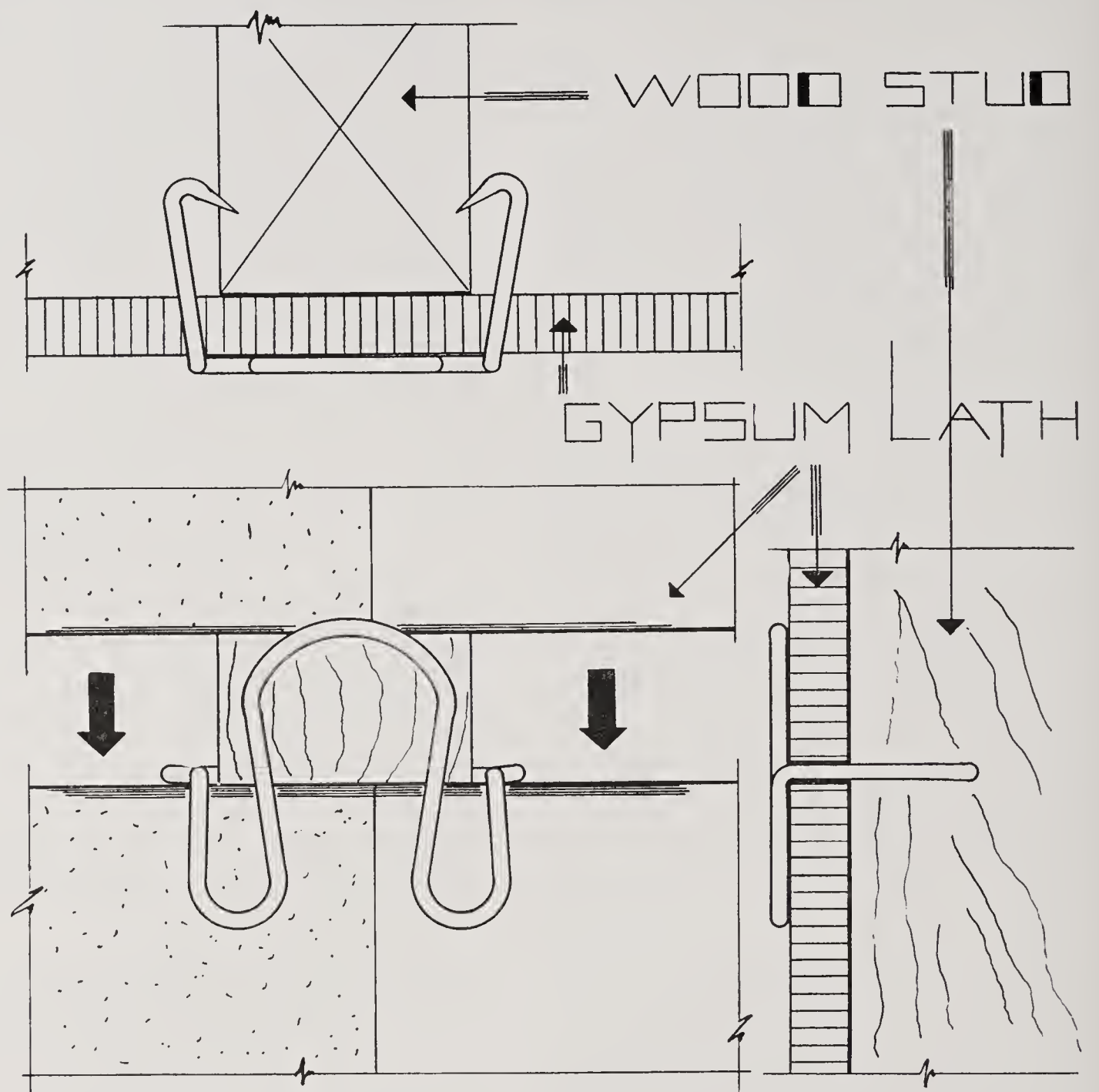
December 16, 1940.

Re: Cal. No. 1041-40-SM.

Subject: Olsen Gypsum Lath Spring Wire Clips, PC, PS and Corner Clips, approval of.

Olsen Products, Incorporated, owner, filed on October 30, 1940, an application with the Board of Standards and Appeals for approval of the Olsen Gypsum Lath Spring Wire Clips, PC, MC, PS, Corner Combination for use in floating wall gypsum system, under the provisions of C26-459.0 (8.4.10.3), C26-462.b (8.4.10.6) and (8.4.10.5.2), as new methods of construction not provided for in the Administrative Building

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OLSEN GYPSUM LATH CLIP

PS CLIP

FIGURE 1

MINUTES

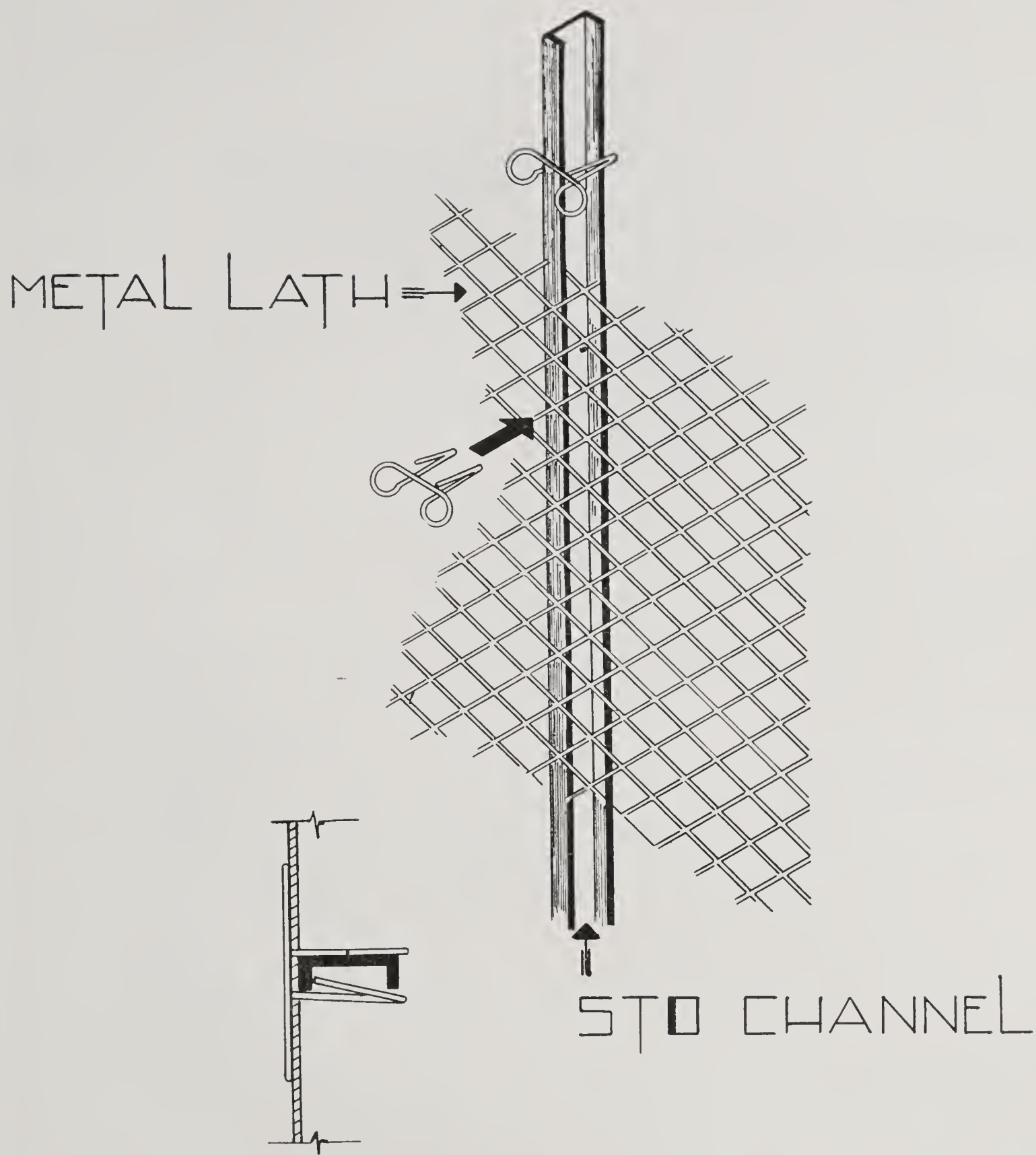


FIGURE 2

MINUTES

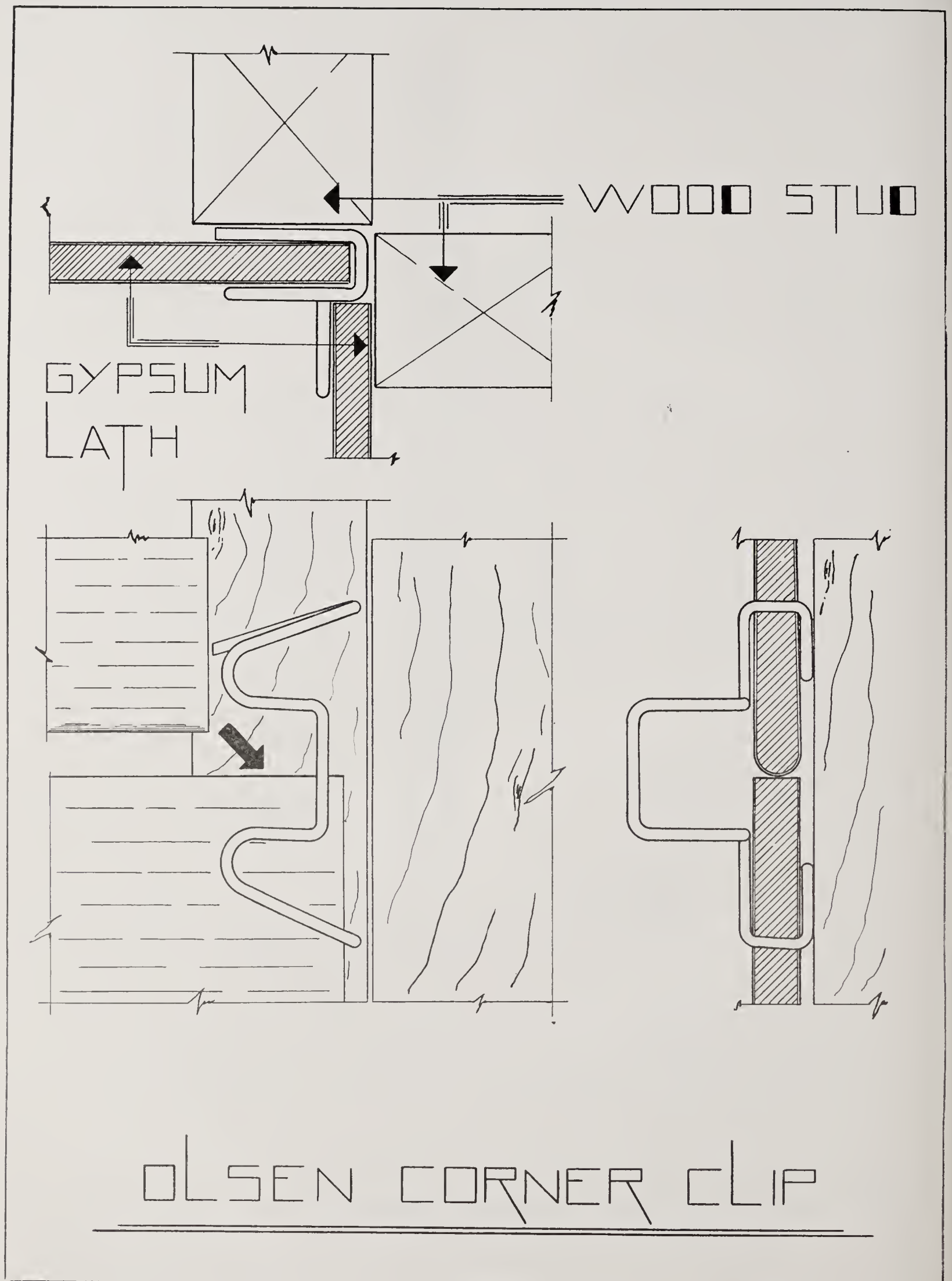
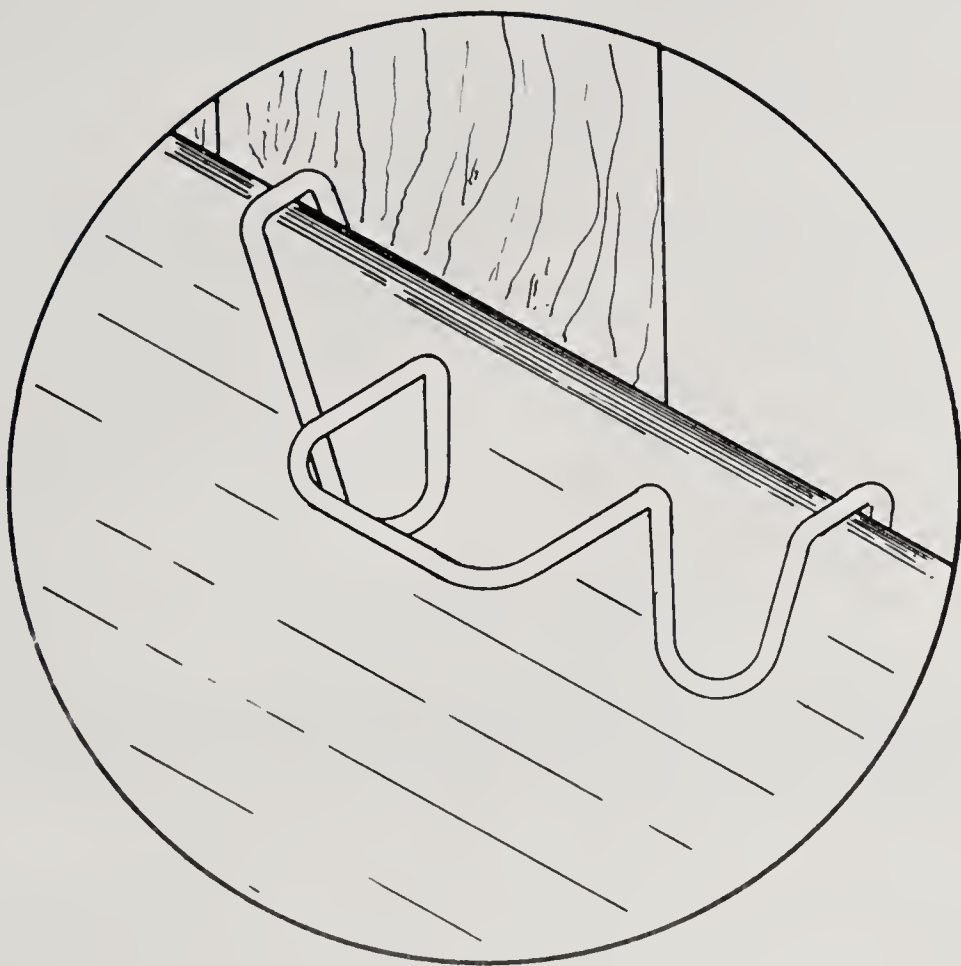


FIGURE 3

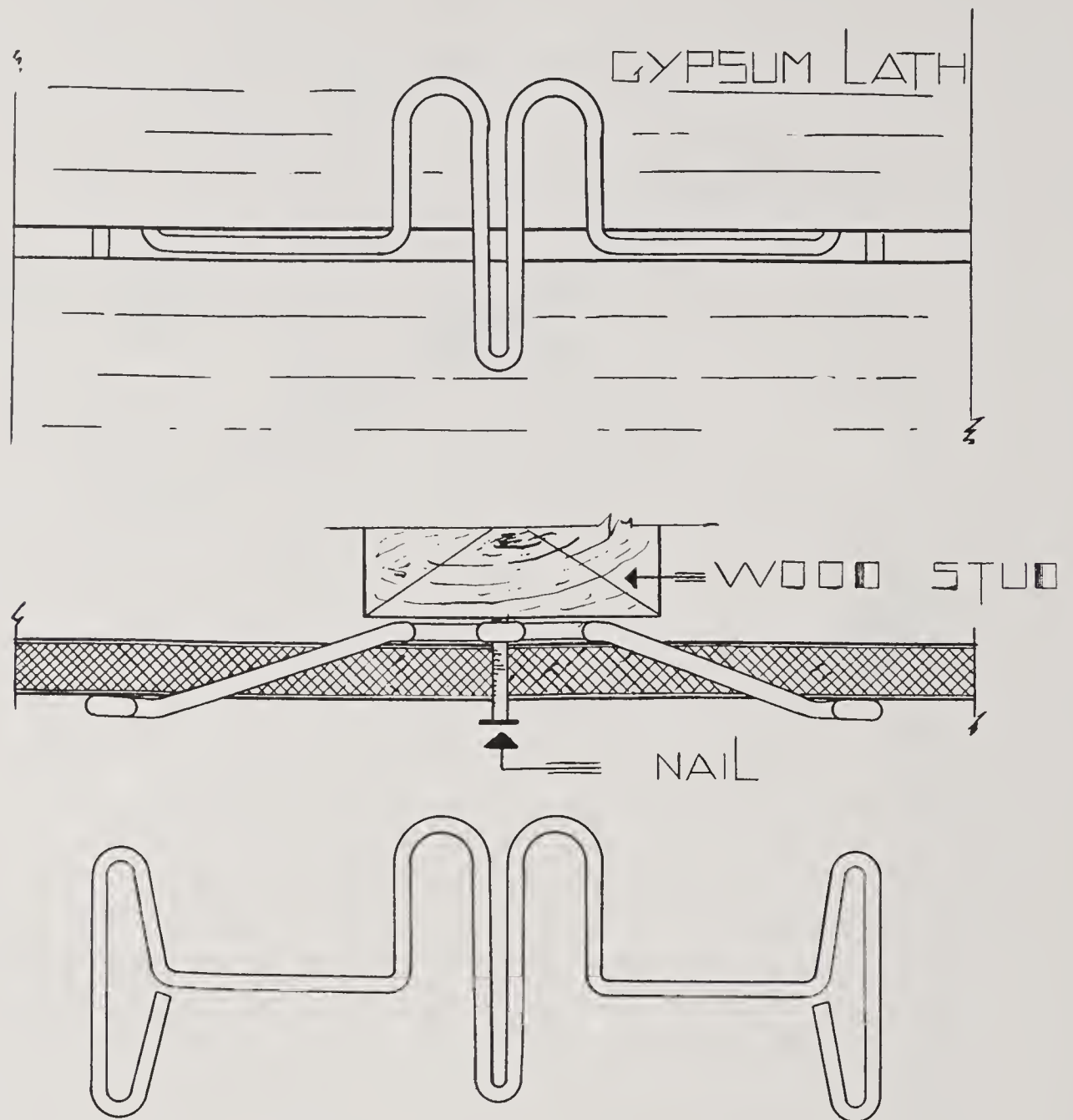
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CORNER CLIP

FIGURE 3a

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OLSEN
COMBINATION CLIP

FIGURE 4

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Code but come within the intent of C26-3.0 (3) and C26-4.4 (4), Administrative Building Code.

These clips are manufactured from No. 11 and No. 12 U. S. gauge hot drawn steel wire. P.S. (plaster board and wood stud) Fig. 1, are made into various shapes for supporting plaster board or fibre board on wood studs, the clips having hooked ends which clinch into the wood and are spaced 16 in. on centers, one at each joint. The corner clips Figs. 3 and 3a, are manufactured of No. 12 gauge hot drawn steel wire and is shaped to provide reinforcing and support for corners and intersections between ceilings and walls. They are placed 16 in. on centers, one at each joint.

The PC or MC, Fig. 2 (plaster board channel clip or metal lath channel clip), is manufactured of No. 13 gauge basic hot drawn open hearth steel wire and is shaped so as to hold plaster boards to the channel iron stud, and is spaced not more than 8 in. on centers in each channel.

A combination clip, Fig. 4, is manufactured of No. 12 gauge hot drawn steel wire and shaped so as to tie two rows of plaster board together and is shaped 16 in. on centers, and made so as to fit over a steel channel or to be nailed to wood stud.

The materials are marketed fifty to a bundle with from ten to twenty bundles in a paper carton. These clips have been examined and tested by the Committee on Tests.

An examination of these methods indicate that there is an equivalent holding power with these clips to the method of attachment of plaster board and other solid bases provided in C26-426.0 (8.4.10.6), para. b, with an advantage that the plaster board is not injured as it might be in nailing.

As a result of the test, it is recommended that the Olsen Gypsum Lath Spring Wire Clips, PC, MC, PS, Corner Combination, be approved for use in New York City in Class 3 construction, on condition that the clips be manufactured and used in accordance with this report and that each carton has a label reading as follows: "Approved by the Board of Standards and Appeals for use in New York City in Class 3 construction under Cal. No. 1041-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Olsen Gypsum Lath Spring Wire Clips, PC, MC, PS and Corner Clips, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

774-40-SM.

APPLICANT—The Gibsonburg Lime Products Company,
owner.

SUBJECT—Gibsonburg and Superspread Brands of Finishing Hydrated Lime, approval of.

APPEARANCES—

For Applicant: John K. Black.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief McCarthy	1

THE RESOLUTION—

(774-40-SM)

WHEREAS, The Gibsonburg Lime Products Company, owner, filed July 12, 1940, an application with the Board of Standards and Appeals for approval of the material known as Gibsonburg and Superspread Brands of Finishing Hydrated Lime; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 16, 1940.

Re: Cal. No. 774-40-SM.

Subject: Gibsonburg and Superspread Brands of Finishing Hydrated Lime, approval of.

The Gibsonburg Lime Products Company, of Gibsonburg, Ohio, filed July 12, 1940, an application with the Board of Standards and Appeals for approval of Gibsonburg and Superspread Brand of Finishing Hydrated Lime under the provisions of C26-3120.b (7.1.1.7.2) and C26-463.4.0 (8.4.10.7.8), Administrative Building Code.

These lime products are manufactured at Gibsonburg, Sandusky County, Ohio, from the Dolomitic Limestone deposit of which the Gibsonburg Lime Products Company owns an acreage sufficient to operate its plant at full capacity for 200 years. The limestone is secured from an open quarry with a 50 ft. face. The seams of the stone run from 3 ft. to 6 ft. in thickness and are very solid seams. The stone is broken loose from the bank by well drill blasting and it is further reduced by secondary drilling to a size that will go through the crusher.

After the crushing all of the stone is sized over a large modern vibrating screen. The kiln stone runs from 6 in. to 8 in. and after being sized is run over a picking belt where it is inspected by three experienced pickers who reject any stone that does not meet with the company's rigid chemical tests and mechanical requirements. The stone that passes the pickers is loaded into cars and taken to the top of kilns where it is dumped for burning. The rejected stone is recrushed and used for either road purposes or is burned into material for the steel mills.

The kilns in which the lime is burned are thirteen in number and are the Arnold type, vertical kiln which was designed especially for production of finishing lime. Each kiln is fired by two stokers, one on each side. The coal used is a very low sulphur coal to prevent contamination from that source and is sized and washed so that even fire is maintained at all times. The temperature and draft in the kilns is controlled by means of steam jets of which there are six to each kiln. The kilns have no grates and the coal is of a type that burns to a clinker so that ash dust is eliminated from contaminating the lime. The kilns are drawn every four hours into a cart which is immediately dumped on to a pan conveyor where a further inspection takes place and under-burned core and over-burned lime are removed.

After this inspection it is ground and is put into a steel storage bin. At this point daily samples are taken to check the CO₂ as a further control in the burning process. The lime is removed from this bin by means of appropriate feeders and screw conveyors and elevated to a weighing hopper where it is weighed automatically before being hydrated. The water for hydration is carefully measured and admitted into Webber batch hydrators through distributing pipes which extend the full length of the machine, insuring an accurate distribution of the water. The Webber hydrators are large box type machines with two heavy shafts to which are attached paddles which insure thorough and complete agitation of the lime and mixture of the water.

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The lime reacts immediately with the water and each machine is run until the lime is thoroughly hydrated and agitated until the heat of hydration dries off the excess moisture. Each batch is tested before dropping into the hopper which leads to a storage bin for the raw hydrate where it is aged.

When the aging process is completed the lime is removed from the bin and run through mills which process is done immediately before shipping. Two types of mills are used, one a Bonner mill, which produces a coarser lime and the other a Raymond air separating mill which produces a finer type of lime.

After the milling process it goes into bins where it is packed fresh through Bates valve bag packers. This lime is shipped in fifty-pound multiwall paper bags.

Samples of this material were selected at the plant of the applicant at Gibsonburg, Ohio, and finished in a Raymond separator, and tests were conducted at the Ohio State University in accordance with A.S.T.M. specifications C-6-34-T with the following results:

Samples Delivered

Sample Marks—Gibsonburg Finishing Lime; R, Board of S. & A., N.Y.C. Cal. No. 774-40-SM. No. 10109.

Sample Marks—Superspread Finishing Lime; B, Board of S. & A., N.Y.C. Cal. No. 774-40-SM. No. 10110.

Results of Tests

Test	Sample Numbers		Specifications
	No. 10109	No. 10110	
1. Chemical Analysis			A.S.T.M. & Federal
	(non-volatile basis)		(non-volatile basis)
CaO MgO	96.28%	95.09%	Not less than 95%
	(non-volatile basis)		(non-volatile basis)
CO ₂	0.74%	0.90%	Not over 5%
2. Fineness			
on 30 mesh	nil	nil	Not over 0.5%
on 200 mesh	2.30%	2.0%	Not over 15%
3. Constancy of Volume (Soundness)	Sound (No visible effects on steaming)	Sound (No visible effects on steaming)	No visible effects (popping or disintegration) on steaming
4. Plasticity (Emley)			
Number	490	500	At least 200

It is accordingly recommended that the Gibsonburg and Superspread Brands of Finishing Hydrated Lime when ground in Raymond Mills be approved for use in New York City pursuant to section C26-312.0,b (7.1.1.7.2) and C26-463.4.0 (8.4.10.7.8), Administrative Building Code, when maintained to the specifications contained herein, on condition that monthly mill test reports signed by the applicant's chemists be filed with the Board and that all bags be tagged, labeled or marked by the Board of Standards and Appeals, "Approved for use in New York City when used in accordance with the requirements of Cal. No. 774-40-SM."

It is further recommended that this material be slaked at least twelve hours before combining with sand and that only material processed in the Raymond Separator be furnished for use in New York City.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests. and

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Gibsonburg and Superspread Brands of Finishing Hydrated Lime, on condition that the material be manufactured, installed, labeled, stamped or tagged in accordance with the above report.

GENERAL RESOLUTION.

1464-39-GR.

SUBJECT—Amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Cal. No. 1139-39-GR.

APPEARANCES—

For Applicant: Watson Vredenburg.

ACTION OF BOARD—General resolution reopened and amended.

THE VOTE TO REOPEN AND AMEND GENERAL RESOLUTION—

Affirmative: Chairman Murdock and Commissioners Savage and Blum 3

Negative 0

Absent: Assistant Chief McCarthy 1

THE RESOLUTION—

(1464-39-GR)

WHEREAS, this resolution, approving certain applicants as approved inspection agencies, was adopted by the Board December 18, 1939, amended April 16, 1940, July 2, 1940, and November 6, 1940; and

WHEREAS, Hildreth and Company, Incorporated, filed November 27, 1940, a request for consideration as an approved inspection agency; and

WHEREAS, this request was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 11, 1940.

Re: Cal. No. 1464-39-GR.

Subject: Opening Protective Assembly Inspection Agencies, approval of.

Hildreth and Company, Incorporated, filed on November 27, 1940, supplemented by a statement on December 6, 1940, a request for consideration as an approved inspection agency under the Rules for the Inspection of Opening Protective Assemblies. The president of the company, Watson Vredenburg, Licensed Professional Engineer No. 5532, has submitted his qualifications and those of the inspector, Gerald J. Horvitz, Licensed Professional Engineer No. 19217, who will specialize in this phase of the work.

The Committee on Tests has reviewed their qualifications and experience, and on the basis of such data recommends that the Hildreth Company of New York City be approved as an inspection agency with the work of inspection to be done by Watson Vredenburg, Licensed Professional Engineer No. 5532, or Gerald J. Horvitz, Licensed Professional Engineer No. 19217, under the provisions of the Rules of the Board of Standards and Appeals on Inspection of Opening Protective Assemblies, Cal. No. 1464-39-GR, and that such approval shall remain in force until rescinded by the Board and that all inspections shall be made personally by Watson Vredenburg or Gerald J. Horvitz.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

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WHEREAS, this report recommended the approval of these applicants as an approved inspection agency.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of December 18, 1939, as last amended November 6, 1940, so as to include approval of Hildreth and Company, Incorporated (by Watson Vredenburg and Gerald J. Horvitz) as an approved inspection agency.

Recessed, 5:35 P.M., December 17, 1940, to 10:00 A.M., December 18, 1940.

Adjourned, 12:15 P.M., December 18, 1940.

JOSEPH J. DOYLE, Chief Clerk.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.
EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:

1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:

1. Liquefier Serial Number.
2. Original number of cylinder used for conversion.
3. Original ownership initials of cylinders used for conversion.
4. Original I. C. C. marking of cylinder used for conversion.
5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
6. Test pressure applied to cylinder before conversion.
7. Total expansion obtained on cylinder before conversion.
8. Permanent expansion obtained on cylinder before conversion.
9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I.C.C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H. and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

S

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
 - C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
 - D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
 - E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
 - F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
 - G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
 - H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New Liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen	6 1/8 in. x 7 1/8 in.
200 ft. oxygen	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen	5/8 in.
200 ft. oxygen	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

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Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs. per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. not in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than 3/4 in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.

- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5 1/2 in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8 1/2 in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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crete Masonry Units.

Approved Paint, Varnish and Lacquer Spraying Equip-
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Approved Fuel Oil Fill Pipe Terminals.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET:

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1196-40-BZ....	H.B.Q....	74-02 to 74-10 Jamaica avenue, and 1 Elderts lane, southeast corner (Block No. 8899, Lot No. 1), Woodhaven, Borough of Queens, N.B. 7638-40.
1197-40-A.....	H.B.E....	9964 Third avenue, west side, 500 ft. south of 99th street (Block No. 6133, Lot No. 60), Borough of Brooklyn, B.N. 1990-40.
1198-40-A.....	H.E.Q....	69-78 and 69-82 183rd street, northwest corner of 73rd avenue and 183rd street, west side, 60.64 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens, N.B. 7666-40 and N.B. 7667-40.
1199-40-A.....	H.B.Q....	69-77 and 69-81 183rd street, northeast corner of 73rd avenue and 183rd street, east side, 59.91 ft. north of 73rd avenue (Block No. 7136, Lot No. 1), Flushing, Borough of Queens, N.B. 7663-40 and N.B. 7664-40.
1200-40-A.....	H.B.B....	196 New York avenue, west side, 65 ft. north of Park place (Block No. 1234, Lot No. 43), Borough of Brooklyn, Alt. 6074-40.
1201-40-BZ....	H.B.Bx....	648 East 225th street, south side, 205 ft. east of Carpenter avenue (Block No. 4826, Lot Nos. 61 and 64), Borough of The Bronx, Decision—re Certificate of Occupancy.
1202-40-A.....	H.B.Q....	29-35, 29-39 and 29-43 201st street, northeast corner of 32nd avenue (Block No. 6028, Lot No. 1), Flushing, Borough of Queens, N.B. 7095-40, N.B. 7096-40 and N.B. 7097-40.
1203-40-A.....	H.B.Q....	201-02, 201-06, 201-10, 201-14 and 201-18 32nd avenue, south side, between 201st street and 202nd street (Block No. 6031, Lot No. 1), Bayside, Borough of Queens, N.B. 7098-40 to N.B. 7102-40, inclusive.
1204-40-A.....	H.B.M....	1491 Broadway, southwest corner of West 43rd street (Block No. 1014, Lot No. 36), Borough of Manhattan, Decision—re Revocation of Permit (Sign) 2762-37.
1205-40-BZ....	H.B.M....	421-427 East 93rd street, north side, 133 ft. 4 $\frac{5}{8}$ in. west of East River drive (Block No. 1573, Lot No. 14), Borough of Manhattan, Alt. 3153-40.
1206-40-BZ....	H.B.Bx....	5550 Broadway, northeast corner of Kimberly place (Block No. 3266, Lot Nos. 155, 157 and 159), Borough of The Bronx, Decision—re Certificate of Occupancy.
1207-40-SM.....		Johns Manville Insulating Board, manufactured by Johns-Manville Sales Corporation, Material.
1208-40-A.....	H.B.B....	35 Hooper street, north side, 80 ft. west of Wythe avenue (Block No. 2197, Lot No. 35), Borough of Brooklyn, Misc. Applic. 8225-40.
1209-40-A.....	H.B.B....	124 Lafayette avenue, south side, 35 ft. east of Cumberland street (Block No. 2119, Lot No. 23), Borough of Brooklyn, Decision—re req. for Revocation of permit—re Alt. 4676-40
1210-40-BZ....	H.B.B....	424-446 Hegeman avenue, south side, from Malta street to Louisiana avenue, 88-98 Malta street and 47-51 Louisiana avenue (Block No. 4318, Lot Nos. 1, 6 and 10), Borough of Brooklyn, Drop Curb Applic. 9087-39.
1211-40-BZ....	H.B.Q....	88-17 to 88-19 (now 88-11) 168th street, east side, 100 ft. south

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of 88th avenue (Block No. 9819, Lot No. 6), Jamaica, Borough of Queens,
Misc. Applic. 10302-40.

1212-40-BZ....H.B.B....1061-1065 Montgomery street, north side, 5 ft. 3¼ in. west of East New York avenue, and 46-48 Ford street (Block No. 1420, Lot Nos. 58 and 51), Borough of Brooklyn,
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1214-40-A.....H.B.M....727-731 11th avenue, west side, 50 ft. 2½ in. south of West 52nd street (Block No. 1099, Lot Nos. 32, 33 and 34), Borough of Manhattan,
N.B. 193-40.

1215-40-A.....H.B.Q.....29-36, 29-40 and 29-44 202nd street, northwest corner of 32nd avenue (Block No. 6028, Lot No. 1), Bayside, Borough of Queens,
N.B. 7084-40, N.B. 7085-40 and N.B. 7086-40.

1216-40-A.....H.B.Q.....34-40 to 34-66 Junction boulevard, northwest corner of 35th avenue (Block No. 1455, Lot No. 70), Flushing, Borough of Queens,
Misc. Applic. 9604-40.

1217-40-A.....H.B.B....1128-1130 Eastern parkway, south side, 20 ft. east of Utica avenue (Block No. 1397, Lot Nos. 6 and 7), Borough of Brooklyn,
Alt. 5981-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On December 20, 1940, Vollmer and Wildermuth, attorneys, served on the Board petition and order of certiorari, on behalf of Edgar P. Holliday, objector, in re decision of Board on October 29, 1940, permitting extension to a factory building partly in business and partly in unrestricted district, under section 7e, Cal. No. 953-40-BZ, premises 134-22 Jamaica avenue and 88-06 Van Wyck boulevard, Jamaica, Borough of Queens.

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DECEMBER 31, 1940, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 31, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 518-40-BZ—Application, May 15, 1940, under section 21 of the building zone resolution, of Edward A. Schuman, applicant and owner (Forest Hills Cement Block Company, Incorporated, lessee), to permit in a business use district the use of premises for the manufacture of cement blocks; premises 117-30 Springfield boulevard, west side, 44.54 ft. north of 118th avenue (Block No. 3358, Lot No. 61), St. Albans, Borough of Queens.

CALENDAR

CAL. NO. 942-40-BZ—Application, September 27, 1940, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Ratlan Realty Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the reconstruction and structural alterations of a building and, also, premises used as a public garage, motor vehicle repair shop, auto laundry, grease pits and gasoline service station; premises 1927-1943 Atlantic avenue and 17-31 Bancroft place, northeast corner (Block No. 1558, Lot Nos. 1 and 32), Borough of Brooklyn.

CAL. NO. 990-40-BZ—Application, October 1, 1940, under sections 7a and 7c of the building zone resolution, of Charles M. Spindler, applicant, on behalf of H. D. Hammond Garage, Incorporated, owner, to permit on a premises located partly in a business use district and partly in an unrestricted use district, the extension of a gasoline service station; premises 6518-6524 Fort Hamilton parkway, 913-929 66th street, northwest corner, and 912-922 65th street (Block No. 5750, Lot Nos. 13 and 26), Borough of Brooklyn.

CAL. NO. 807-40-BZ—Application, July 19, 1940, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Richard Stiegler, owner (Sarah Stern, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1168-1178 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Morben Realty Corporation, owner, reopened October 15, 1940, under section 7f of the building zone resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station (previously denied by the Board under section 21 of the building zone resolution); premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block No. 3811, Lot No. 8), Glendale, Borough of Queens.

CAL. NO. 712-38-BZ—Application of Sidney L. Strauss, applicant, on behalf of Steeples Management Corporation, owner, reopened and restored to Calendar November 13, 1940, under section 21 of the building zone resolution, to permit in a residence use district the maintenance of business use in part of the cellar and in part of the first story of an existing multiple dwelling (previously dismissed for lack of prosecution); premises 1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block No. 6730, Lot

Nos. 63 and 72), Borough of Brooklyn.

CAL. NO. 1131-40-BZ—Application, November 29, 1940, under sections 7b and 21 of the building zone resolution, of Emil H. Schwab, Jr., applicant, on behalf of Emil Schwab, Sr., Emma Schwab and Emil H. Schwab, Jr., owners, to permit, partly in a residence use district and partly in a business use district, the maintenance of a business use (stores) on the first story of an existing multiple dwelling; premises 2485 Creston avenue, west side, 56 ft. north of East Fordham road (Block No. 3174, Lot No. 30), Borough of The Bronx.

CAL. NO. 729-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Talbo Gasoline Company, Incorporated, owner, reopened October 8, 1940, under sections 7c and 21 of the building zone resolution, to permit in a business use district the alteration and extension in area of an existing gasoline service station (previously denied by the Board); premises 3150-3158 Boston Post road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 812-40-BZ—Application, July 22, 1940, under sections 7c and 21 of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Edlar Realty Corporation, owner (Alex White, lessee), to permit in a business use district the extension of a gasoline service station so as to permit the parking and storage of more than five (5) motor vehicles; premises 3150 Broadway, southeast corner of Moylan place (Block No. 1980, Lot No. 61), Borough of Manhattan.

CAL. NO. 177-32-BZ—Application of Herbert J. Krapp, applicant, on behalf of Trebuhs Realty Company, Incorporated, owner, reopened April 9, 1940, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied by the Board as a gasoline service station); premises 160-166 West End avenue and 251-261 West 67th street, northeast corner (Block No. 1159, Lot No. 1), Borough of Manhattan.

CAL. NO. 330-22-BZ—Application of Paul Friedman, applicant, on behalf of Kings Highway Community Corporation, owner (Community Amusement Corporation, lessee), reopened December 3, 1940, for rehearing under new proposal, under sections 7c and 21 of the building zone resolution, to permit, partly in a residence use district and partly in a business use district, the change of use of an existing building from bowling alleys, library, stores, auditorium and meeting room (previously granted by the Board) to

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stores and motion picture theatre (previously denied by the Board); premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

Appeal from Administrative Decision.

602-40-A—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block No. 6780, Lot No. 55), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 31, 1940, 2 P. M.

Appeals from Administrative Decisions.

1006-40-A—141-143 Coolidge avenue, north side, 236.65 ft. west of Daniels street (Block No. 6339, Lot No. 54), Jamaica, Borough of Queens (under section 35, General City Law—rebed of mapped street).

1171-40-A—783-821 Lafayette avenue, northwest corner of Sumner avenue (Block No. 1787, Lot No. 14); (Public School No. 25), Borough of Brooklyn.

1182-40-A—76 Metcalfe street, south side, from Vanderbilt avenue to Targee street, and 425 Vanderbilt avenue (Block No. 646, Lot No. 1), Stapleton, Borough of Richmond.

1165-40-A—187-04 and 187-06 Linden boulevard, southeast corner of Montauk street (Long Island Railroad); (Block No. 3168, Lot Nos. 7 and 12), St. Albans, Borough of Queens.

1176-40-A—330-334 West 27th street, south side, 350 ft. west of Eighth avenue (Block No. 750, Lot No. 57), Borough of Manhattan.

JANUARY 7, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 7, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 377-40-BZ—Application, April 11, 1940, under section 7g of the building zone resolution, of William P. Collins, applicant and lessee, on behalf of Long Island Railroad Company, owner, to permit in an unrestricted use district the parking of more than five (5) motor vehicles on a plot located on the same street and between the same two (2) intersecting streets with a school; premises 10-25 49th avenue, north side, 59.94 ft. west of Jackson avenue (Block No. 44, Lot Nos. 10 to 19, inclusive), Long Island City, Borough of Queens.

CAL. NO. 983-40-BZ—Application, October 10, 1940, under

section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Dime Savings Bank of Brooklyn, owner, to permit, partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 413-417 Flatbush Avenue Extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block No. 2093, Lot No. 85), Borough of Brooklyn.

CAL. NO. 828-40-BZ—Application, July 30, 1940, under section 7h of the building zone resolution, of Gaetano Tuzzolino, applicant and lessee, on behalf of Milton Hirschman, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of White Plains road and East 236th street (Block No. 5043, Lot No. 6), Borough of The Bronx.

CAL. NO. 604-40-BZ—Application, June 5, 1940, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf of Mary B. MacKay, owner (Etta Ginsberg, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 74-92 Bay Ridge avenue, south side, 200 ft. east of Narrows avenue (Block No. 5869, Lot No. 19), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application of Albert C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, reopened October 15, 1940, under section 7c of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (previously granted on certain conditions by the Board; Board's decision reversed by Special Term, Supreme Court, without prejudice to taking further proceedings before the Board); premises 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 926-40-BZ—Application, September 18, 1940, under section 7c of the building zone resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district the erection of an accessory building on an existing gasoline service station; premises 1698 Boston road and 1705 Southern boulevard, southeast corner (Block No. 2978, Lot No. 191), Borough of The Bronx.

CAL. NO. 1084-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building

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zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-63 131st street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1085-40-BZ—Application, November 13, 1940, under sections 7a, 7b and 21 of the building zone resolution, of A. J. Daidone, applicant, on behalf of Department of Public Works, City of New York, owner, to permit in a business use district the erection and maintenance of a building accessory to a sewage disposal plant; premises 150-54 134th street, blocks bounded by 150th avenue, 155th avenue, 131st street and 134th street (Block No. 2718, Lot No. 1, and Block No. 2720, Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 1139-40-BZ—Application, December 2, 1940, under section 21 of the building zone resolution, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

Appeal from Administrative Decision.

CAL. NO. 758-40-A-MD—Application, July 9, 1940, under section 60 of the Multiple Dwelling Law, of Arthur Weiser, applicant, on behalf of Wheelock Avenue Corporation, owner (Margate Estates, Incorporated, lessee), to permit, partly in a business use district and partly in a residence use district, the erection and maintenance of a multiple dwelling having a garage for more than five (5) motor vehicles for the use of the tenants of the multiple dwelling only; premises 50-90 Riverside Drive West, west side, from West 158th street to West 161st street (Block No. 2135, Lot Nos. 60, 32, 37 and 92), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 7, 1941, 2 P. M.

Appeals from Administrative Decisions.

861-40-A—2101-2123 Albemarle road, south side, 190 ft. east

of Flatbush avenue (Block No. 5102, Lot No. 59); (Apartment No. 1-N), Borough of Brooklyn.

881-40-A—291-301 Metropolitan avenue, northwest corner of Roebling street (Block No. 2353, Lot No. 13), Borough of Brooklyn.

1142-40-A—2301-2323 Beverly road and 2360-2420 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

JANUARY 14, 1941, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 14, 1941, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 249-39-BZ—Application, February 28, 1939; dismissed for lack of prosecution July 18, 1939; reopened and restored to Calendar September 17, 1940, under section 7f of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Koppers Company, owner, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station; premises 84-11 to 84-21 Astoria boulevard and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, part of Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 583-40-BZ—Application, May 28, 1940, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of O'Brien Building Company, Incorporated, owner (Charles Barnett, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3096-3102 Webster avenue, south side, 25 ft. west of East 204th street (Block No. 3330, Lot No. 68), Borough of The Bronx.

CAL. NO. 446-40-BZ—Application, April 26, 1940, under section 7c of the building zone resolution, of Arthur H. Haaren, applicant, on behalf of Kesbec, Incorporated, owner (James McAllister, lessee), to permit in a business use district the extension of a gasoline service station so as to include the parking and storage of more than five (5) motor vehicles; premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block No. 2180, Lot Nos. 492 and 494), Borough of Manhattan.

CAL. NO. 818-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullowa, owner (John Carmody, lessee), to permit in a business

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use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1882-1884 Second avenue, east side, 25 ft. north of East 97th street (Block No. 1669, Lot No. 2), Borough of Manhattan.

CAL. NO. 819-40-BZ—Application, July 26, 1940, under section 7h of the building zone resolution, of M. A. Boule, applicant, on behalf of Sylvia M. Bullova, owner (John Carmody, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1888-1890 Second avenue, east side, 50 ft. south of East 98th street (Block No. 1669, Lot Nos. 51 and 52), Borough of Manhattan.

CAL. NO. 302-29-BZ—Application of Reginald S. Hardy, applicant, on behalf of John Sklar Holding Company, Incorporated, owner, reopened July 2, 1940, under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in a residence use district, the inclusion of stores in a garage for more than five (5) motor vehicles; said garage previously granted by the Board; the stores do not comply with section 19h of the building zone resolution; premises 146-156 East 98th street and 1159-1171 Winthrop street, northwest corner (Block No. 4614, Lot No. 38), Borough of Brooklyn.

CAL. NO. 207-31-BZ—Application of Abraham N. Horwitz, applicant, on behalf of 1146 Southern Boulevard Corporation, owner, reopened November 21, 1939, under section 21 of the building zone resolution, to permit in a business use district a motor vehicle repair shop in an existing building; said building previously acted upon by the Board, permitting its use as a gasoline service station, auto laundry and garage for five (5) cars; premises 1148 Southern boulevard, east side, 237 ft. north of East 167th street (Block No. 2745, Lot No. 11), Borough of The Bronx.

CAL. NO. 1002-40-BZ—Application, October 16, 1940, under sections 7i and 21 of the building zone resolution, of Max Siegel, applicant, on behalf of Harold Swain, owner, to permit in a business use district the erection and maintenance of a motor vehicle repair shop; premises 1550-1552 Jerome avenue, east side, 241.79 ft. south of East Mount Eden avenue (Block No. 2846, Lot Nos. 23, 24, 25 and part of Lot Nos. 22 and 26), Borough of The Bronx.

CAL. NO. 1181-39-BZ—Application, September 26, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Jefferson Associates, Incorporated, and Orada Realty Corporation, owners, to permit, partly in a

business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northwest corner of Sedgwick avenue and West 167th street (Block No. 2540, Lot Nos. 16, 21 and 24), Borough of The Bronx.

CAL. NO. 968-40-BZ—Application, October 4, 1940, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Jamaica-Fulton Operating Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block No. 9799, Lot Nos. 7 and 42), Jamaica, Borough of Queens.

CAL. NO. 1036-39-BZ—Application, August 10, 1939, under section 21 of the building zone resolution, of Hyman Axinn, applicant, on behalf of Axinn and Sons Lumber Company, Incorporated, owners, to permit, partly in a residence use district and partly in a business use district, the parking of more than three (3) motor vehicles; premises 222-40 99th avenue, south side, 400 ft. east of 222nd street (Block No. 10805, Lot No. 21), Queens Village, Borough of Queens.

CAL. NO. 799-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Fox and Wintner, applicants, on behalf of Frances S. Burrows, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 4-6 East 135th street, south side, 50 ft. east of Fifth avenue (Block No. 1759, Lot No. 69), Borough of Manhattan.

CAL. NO. 607-40-BZ—Application, June 6, 1940, under sections 7h and 21 of the building zone resolution, of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block No. 9676, Lot No. 13), Jamaica, Borough of Queens.

CAL. NO. 691-40-BZ—Application, June 25, 1940, under sections 7h and 21 of the building zone resolution, of H. Herbert Lilien, applicant, on behalf of Merrimak Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles on a plot occupied in part as a gasoline service station;

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premises 3325-3331 Broadway, west side, 49 ft. 11 in. north of West 134th street (Block No. 2001, Lot Nos. 31, 32, 33 and part of Lot No. 36), Borough of Manhattan.

CAL. NO. 922-40-BZ—Application, September 18, 1940, under section 21 of the building zone resolution, of Ely Jacques Kahn, applicant, on behalf of Jacob Ruppert Corporation, owner, to permit, partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 205-223 East 93rd street, north side, 90 ft. east of Third avenue, and 204-222 East 94th street (Block No. 1539, Lot Nos. 5 and 7), Borough of Manhattan.

CAL. NO. 401-31-BZ—Application of Sidney L. Strauss, applicant, on behalf of Webster Committee, Incorporated, and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sublessee), reopened July 2, 1940, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station upon a plot, previously granted by the Board, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; it is proposed, also, to continue the temporary parking and storage use; premises 624-626 Atlantic avenue and 9 Fifth avenue, northeast corner, and 627 Pacific street (Block No. 1119, Lot Nos. 1 and 64), Borough of Brooklyn.

CAL. NO. 253-40-BZ—Application, March 6, 1940, under sections 7h and 21 of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Direct Realty Company, owner, to permit on a plot located in a business use district and residence use district, the parking and storage of more than five (5) motor vehicles; premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block No. 2121, Lot No. 13), Borough of Manhattan.

CAL. NO. 647-40-BZ—Application, June 13, 1940, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Eugene Higgins, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block No. 2001, Lot Nos. 29 and 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 14, 1941, 2 P. M.

Appeals from Administrative Decisions.

821-40-A—436 West 57th street, south side, 300 ft. east of Eleventh avenue (Block No. 1066, Lot No. 50), Borough of Manhattan.

1130-40-A—144 Avenue C and 701 East 9th street, northeast corner (Block No. 379, Lot No. 1), Borough of Manhattan.

1097-40-A—470 86th street (472 displayed), south side, 97 ft. 1¼ in. west of Fifth avenue (Block No. 6045, Lot No. 34), Borough of Brooklyn.

944-40-A—19 Richards street, southeast corner of Seabring street (Block No. 505, Lot No. 60), Borough of Brooklyn.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 14, 1941, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 162-38-BZ—Application of Boris W. Dorfman, applicant, on behalf of Realty Freehold Corporation, owner, reopened December 17, 1940—re consideration of extension of time to complete work—re Application, previously granted on condition under sections 7b and 21 of the building zone resolution, permitting the extension from a business use district into a residence use district of a proposed business building (stores) and, also, the omission of the required rear yard; premises 781-787 East 31st street, east side, 40 ft. north of Avenue H (Block No. 7559, Lot No. 8), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 21, 1941, 2 P. M.

Appeal from Administrative Decision.

849-40-A—419-423 East 48th street, north side, 100 ft. west of Beekman place (Block No. 1360, Lot No. 11), Borough of Manhattan.

JANUARY 22, 1941, 10 A. M.

Rules.

217-21-SR—Oil Burner Rules—To reaffirm rules adopted by the Board on June 15, 1934, as last amended on December 4, 1936, in view of Local Law Introductory No. 342, which became law upon approval of the Mayor, December 14, 1940.

639-40-SR—Rules for the Manufacture, Testing and Use of Concrete Masonry Units—Proposed amendment of.

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JANUARY 28, 1941, 2 P. M.

Appeal from Administrative Decision.

1164-40-A—84-14 Northern boulevard, southwest corner of 85th street (Block No. 1433, Lot Nos. 1, 2 and 3), Jackson Heights, Borough of Queens.

FEBRUARY 18, 1941, 2 P. M.

Appeal from Administrative Decision.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

NOTICE

MULTIPLE DWELLING LAW ON SALE.

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building Manhattan. Price 10c; by mail 12c.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR THE MANUFACTURE, TESTING AND USE OF CONCRETE MASONRY UNITS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS AUGUST 2, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(639-40-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Wednesday, January 22, 1941, at 10 A.M., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for the Manufacture, Testing and Use of Concrete Masonry Units.

NOTE—New matter in *italics*; old matter in brackets [] to be omitted.

SCOPE:

These rules shall apply only to concrete hollow or solid masonry blocks or tiles irrespective of use, size, shape and aggregates used in their manufacture, so as to obtain the quality of material intended within the scope of C26-309.0 (7.1.1.4), C26-412.0 (8.4.1), as further supplemented by these rules.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, paragraph a, (2.2.1.1.) a, and C26-305.0 (7.1.1.), and C26-412.0 (8.4.1).

NOTE—References given herein preceded by C26- refer to specific sections of the Administrative Building Code.

1.0 DEFINITIONS.

1.1. **Aggregate**—The term "aggregate" shall mean inert material which is mixed with cement and water to produce concrete, consisting, in general of sand, pebbles, gravel, cinders, crushed stones, blast furnace slag, burnt shale or clay, or similar materials. Section C26-10.0a (1.2). Dense aggregates, such as sand, pebbles, crushed stones and crushed slag, shall be sound and durable and free from excessive amounts of dust, soft or flaky particles, or shale or other deleterious material. Concrete (block) Product aggregates shall consist of natural sands and gravels, crushed rock, or blast furnace slag, burnt shale, or clay cinders, or other inert materials having clean uncoated grains of strong and durable minerals. It shall be unlawful to use aggregates containing soft, friable, thin, flaky, elongated or laminated particles in excess of three percent, or containing unburnt shale in excess of one and one-half percent, or silt and crusher dust finer than the No. 100 standard sieve in excess of two percent. When all three groups of such deleterious materials are present in the aggregates, the combined amounts shall be less than five percent of the combined aggregate. These percentages shall be based on the weight of the combined aggregate as used in the concrete. For lightweight aggregates such as cinders, burnt clay or shale, or expanded slag, the amount of fine or soft material described above shall be limited so as not to affect the properties of the finished product as hereinafter specified, and shall not exceed fifteen percent of the total aggregates. The maximum size of the aggregate is the clear space between the sides of the smallest square opening through which eighty-five percent by weight of the coarse aggregate can be passed. See C26-315.0 (7.1.2.1). All aggregates shall be free from frost or lumps of frozen material. Where stationary aggregate bins are provided, a coil of steam pipe shall be arranged around the outlet of the [bin] bins so that the [aggregates] aggregate can be heated to remove frost and frozen lumps. [To facil-

itate proportioning between fine and coarse aggregates, they shall be separately stored], or other heating methods as approved by the Board in a specific case.

1.1.1. **Fine Aggregate**—All fine aggregate [except sand as defined in 1.18] shall be considered as material passing a screen with four meshes per linear inch and shall have at least 15 percent retained on a number 8 screen and consisting of particles one quarter of an inch or less in size. See C26-10.0b (1.2).

1.1.2 **Coarse Aggregate**—shall be considered as material retained on a screen having four meshes per linear inch, the maximum size shall not exceed $[1/3] \frac{1}{2}$ the thickness of the thinnest web of any concrete masonry unit. [when load bearing and $\frac{1}{2}$ the thickness when non-load bearing.]

1.2 **Blast Furnace Slag**—The term "blast furnace slag" shall mean the non-metallic product, consisting essentially of silicates and alumino-silicates of lime, which is developed simultaneously with iron in a blast furnace. C26-24.0 (1.15).

1.3 **Cement**—Cement for use under these rules shall include only those Portland Cements, or High Early Strength Portland Cements as are approved by the Board. See C26-312.0, c (7.1.1.7.1).

1.4 **Cinders**—Cinders may contain a maximum of thirty-five percent by weight of unconsumed carbon and a maximum of one-half percent by weight of sulphur. Section C26-309.0 (7.1.1.4). Such cinders shall be of uniform quality, free from dirt, excessive dust, or other injurious or extraneous matter but may include Sulphur up to $1\frac{1}{2}\%$.

1.5 **Concrete Brick**—Concrete brick shall consist of a structural unit, usually solid, of a size approximately 8 in. x 3 $\frac{3}{4}$ in. x 2 $\frac{1}{4}$ in., except as provided in Rule 6.1.4 with net cross-sectional area at least 75 percent of the gross area. It shall consist of a mixture of Portland Cement and other aggregates to produce a material to meet the strength requirements of Subdivision "a" of Section C-26-307 or C-26-359.0. See C-26-26.0 (1.1.7).

1.6 **Concrete Block Products**—The term "concrete block products" shall mean bricks, blocks or other units made of cement, aggregates, and water. C26-39.0 (1.30).

1.7 **Crushed Stone**—The term "crushed stone" shall mean bedded rock or boulders, broken by mechanical means into fragments of varying shapes and sizes. C26-44.0 (1.35).

1.8 **Faced Wall**—The term "faced wall" shall mean a wall faced with masonry in which the facing and backing are so bonded, or so bonded and anchored, with masonry as to exert common action under load. C26-62.0 (1.5.4).

1.9 **Filler Blocks**—Filler blocks of concrete masonry units when permanently set in a ribbed floor system, may have structural properties in accordance with the limitations as provided in C26-476.0 (8.5.8) and Rule 9.3.2.

1.10 **Gravel**—The term "gravel" shall mean rounded particles, larger than sand grains, resulting from the natural disintegration of rocks. C26-79.0 (1.71).

1.11 **Hollow Unit**—The term "hollow unit" shall mean any masonry unit whose net cross-sectional

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area is less than seventy-five percent of its gross cross-sectional area in any plane, measured in the same plane. C26-83.0 (1.75) (as laid in the wall).

1.12 Hollow Masonry—The term "hollow masonry" shall mean masonry consisting wholly or in part of hollow units meeting the strength requirements of sections C26-308.0, C26-309.0, and C26-310.0, and in which the units are laid contiguously with the joints filled with mortar. C26-84.0 (1.76).

1.13 Hollow Wall—The term "hollow wall" shall mean a wall built of solid masonry units so arranged as to provide an air space within the wall. C26-85.0 (1.77).

1.14 Masonry—The term "masonry" shall mean stone, brick, concrete, hollow tile, concrete block or tile, or other similar building units, or materials or a combination of them, bonded together with mortar. C26-93.0 (1.85).

1.15 Non-Bearing Wall—The term "non-bearing wall" shall mean any wall which carries no load other than its own weight. C26-98.0 (1.90).

1.16 Partition—The term "partition" shall mean a non-bearing interior wall one story or less in height. C26-108.0 (1.101).

1.17 Plaster—The term "plaster" shall mean gypsum or Portland cement plaster. Unless otherwise provided, plaster shall be $\frac{1}{2}$ in. of Portland cement plaster consisting of one part Portland cement, three parts sand and 10% lime putty or $\frac{1}{2}$ in. of gypsum plaster consisting of a scratch and brown coat of plaster or gypsum plaster, mixed in proportion of one part gypsum plaster to three parts sand by weight and finished with $\frac{1}{8}$ in. white coat of lime putty or other approved finishing material.

1.18 Sand—The term "sand" shall mean small grains one-quarter of an inch or less in size resulting from the natural disintegration of rocks. C26-131.0 (1.126). Sand shall be clean, sharp, coarse and siliceous, free from salt, lime, clay or other foreign materials. C26-312.0 (7.1.1.7.5).

1.19 Solid Masonry—The term "solid masonry" shall mean masonry consisting of stone, brick, sand-lime or concrete brick, or other solid masonry units, or a combination of these materials, laid contiguously with the spaces between the units filled with mortar, or monolithic concrete. Section C26-136.0 (1.131).

1.20 Solid Structural Unit—The term "solid structural unit" shall mean a building unit having a gross volume at least fifty percent greater than a brick, with a net cross-sectional area in any plane at least seventy-five percent of the gross cross-sectional area measured in the same plane. C26-137.0 (1.132) (as laid in the wall).

1.21 Veneered Wall—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability. C26-157.0 (1.148). Also see Rule 9.1.5.2.

1.22 Water—Water shall be clean, free from all organic materials, strong acids or alkalis, or shall be the water used in the city for drinking purposes. C26-312.0 (7.1.1.7.6).

1.23 Water-Cement Ratio—The term "water-cement ratio" shall mean the total quantity of water entering the mixture, including the surface water carried by the aggregate, expressed in terms of the quantity of cement. The water-cement ratio shall be expressed in United States gallons per ninety-four pound sack of cement. C26-160.0 (1.152).

2.0 CONCRETE (BLOCK) PRODUCT MATERIALS AND WORKMANSHIP.

2.1 Materials—The materials used in the manufacture of concrete block products shall consist of approved Portland Cement or high early strength Portland Cement, mixed with such aggregates as sand, crushed stone, gravel, clean cinders, processed blast furnace slag and burned clay or shale. These materials shall be mixed in such proportions with the proper water cement ratio and so cured that the finished product shall be suitable to the requirements of the specific uses for which approval is sought.

2.2 Fixing of Batches—Batching of all materials shall be by either volume or by weight.

2.3 Water Cement Ratio—The water cement ratio when once determined for any type of concrete masonry unit shall be maintained throughout the manufacture of that particular unit. Corrections shall be made for the water content of the aggregate and a continuous record of the amount of water added per batch with an estimated allowance for the surface water within the aggregate, shall be kept and made available for inspection during working hours.

2.4 Proportions—The aggregate and the cement shall be proportioned in such a manner that the finished product will meet the quality and strength specifications contained in these rules. The maximum proportions of coarse aggregate, however, shall not exceed [sixty] *seventy* percent of the total aggregate as defined herein.

2.5 Quality of Cement (Block) Products—The finished product shall be within the sizes as listed herein, free from cracks and other defects affecting the use and strength of the units and shall be sound in every respect.

2.5.1 The finished product shall have surface texture, color and size suitable to the requirements of its proposed usage.

3.0 SIZES OF CONCRETE (BLOCK) PRODUCTS.

3.1 Height—The height of hollow or solid concrete (block) products for load bearing walls shall not be more than 8 inches *except for header units which may be three times the course height of the facing brick*. The height of hollow or solid concrete block products for non-load bearing walls shall not be more than 12 inches.

3.2 Thickness—The thickness or width of hollow or solid concrete (block) products for load bearing walls and partitions shall not be less than 4 inches. For non-load walls and bearing partitions, such thickness shall be not less than 3 inches. Units used in furring shall not be less than 2 inches split, *or 2 inches [or 3 inches] hollow or solid*.

3.3 Length—The length of hollow or solid concrete (block) products shall be not more than 18 inches, except in non-load bearing partitions such units may be not more than 24 inches in length *except as otherwise approved by the Board in a specific case*.

3.4 Tolerance—A tolerance of plus or minus $\frac{1}{4}$ inch shall be permitted on all concrete (block) products, except in the thickness of the web and shells where the [tolerance shall be $\frac{1}{16}$ inch] *thickness shall not be less than $\frac{1}{16}$ inch from that specified*.

3.5 Header Units—Header units for use with brick or stone masonry making a composite *or faced* wall, shall not exceed three times the *course height of the* facing unit, [in height] with a maximum length of 18 inches with cutouts arranged to allow 4 inches of masonry bonding of the facing unit.

3.6.0 Fire Resistive Ratings—Concrete (block) prod-

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ucts shall consist of area and thickness of webs and shells for specific uses, as follows:

3.6.1 Fire Walls—Concrete (block) products used as fire walls requiring a fire resistive rating of four hours, shall meet the following requirements:

1. Solid structural units 8 inches thick.
2. Solid cinder concrete blocks 8 inches thick.
3. Solid cinder concrete blocks 6 inches thick plastered on both sides.
4. Hollow concrete blocks (one piece) 12 inches thick with webs and shells at least $1\frac{1}{2}$ inches thick and at least 2 cells in wall thickness.
5. Hollow concrete blocks (one piece) 8 inches thick plastered on both sides, shells of which are at least $1\frac{1}{2}$ inches thick.
6. Hollow concrete block 4 inches in thickness having webs $\frac{7}{8}$ inch and shells 1 inch when used as a backup with brick at least $3\frac{3}{4}$ inches in width, or equivalent ashlar facing, [or limestone or terra cotta] with $\frac{1}{2}$ inch of plaster on the concrete block side.
7. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-631.0 (10.4.1.1).

3.6.2. Fire Partitions—Concrete block products for use in fire partitions and shaft enclosures requiring a fire resistive rating of three hours shall meet the following requirements:

1. Solid brick, solid structural units 8 inches thick.
2. Solid cinder blocks, 6 inches thick.
3. Hollow concrete block, 8 inches thick, provided calcareous, burnt clay or cinder aggregates are used and the shells are at least $1\frac{1}{2}$ inches thick, if unplastered and at least $1\frac{1}{4}$ inches thick if plastered.
4. Hollow cinder block 6 inches thick with webs and shells at least $1\frac{1}{2}$ inch thick, plastered on one side.
5. Hollow cinder block 4 inches thick having webs $\frac{7}{8}$ inch and shells $1\frac{5}{16}$ inches plastered on both sides, with at least $\frac{1}{2}$ inch plaster.
6. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-633.0 (10.4.2.1).

3.6.3 Stairway Enclosures and Other Places Requiring Fire Resistive Rating of Two Hours—Concrete block products for these uses shall meet the following specifications:

1. Solid brick or solid structural units 8" thick.
2. Solid cinder block 4" thick.
3. Solid cinder block 3" thick plastered on both sides.
4. Hollow concrete block 8" thick.
5. Hollow concrete block 4" thick with $\frac{7}{8}$ " shell plastered on both sides with at least $\frac{1}{2}$ " of plaster.
6. Any other type of concrete block product shall meet the requirements for fire resistive rating. See C26-635.0 (10.4.2.3).

3.6.4 Fireproof Partitions—Concrete block for

use in fireproof partitions requiring a one-hour fire resistive rating, shall meet the following specifications:

1. Solid or hollow brick or solid concrete block 4" thick.
2. Solid cinder block 3" thick.
3. Hollow concrete block 3" thick having $\frac{7}{8}$ " web and [1"] $\frac{7}{8}$ " shell plastered on both sides with $\frac{1}{2}$ " plaster.
4. Any other type of concrete block product shall meet the requirements for fire resistive rating.

3.6.5 Protection of Structural Steel—Concrete brick, block or tile, except cinder concrete units may be used in thicknesses and for ratings as follows:

$2\frac{1}{4}$ "	1 Hour
$2\frac{3}{4}$ "	2 Hour
$3\frac{3}{4}$ "	3 Hour
$3\frac{3}{4}$ "	4 Hour

Hollow or solid cinder concrete block and tile having a compressive strength of at least 700 p.s.i. of gross area may be used in thickness and ratings as follows:

$1\frac{1}{2}$ "	1 Hour
2 "	2 Hour
2 "	3 Hour
$2\frac{1}{2}$ "	4 Hour

See C26-309.0.2d. (7.1.1.4) and Rule 5.1.d. C26-575.0 (10.1.4).

Wherever the fire resistive rating is 3 Hours or more, voids between steel and concrete masonry units shall be filled with mortar.

3.6.6 Fire Resistive Rating of Other Materials—Concrete (block) products of materials other than sand, crushed stone, gravel or cinders, shall be required to furnish test data, in accordance with the requirements of C26-571.0 (10.1.1) for the fire resistive rating sought.

4.0 MANUFACTURE OF CONCRETE BLOCK PRODUCTS—

4.1 Proportioning of Aggregates—

4.1.1 Proportioning of aggregate shall be by weight or volume. When the correct mixture is ascertained, the equipment shall be set in such a manner as to insure the batching of the materials in the correct proportions.

4.1.2 Batching of Cement—Cement shall be batched in bags weighing 94 lbs. When cement in bulk is used, because of its tendency to fluff, it shall be weighed and the batch fixed to correspond with the required amount of fluffed bulk cement.

4.1.3 Consistency—Concrete block units made from dense aggregates on tamp or pressure machines shall be mixed as wet as practicable and still preventing sagging or distortion. Concrete made on vibrating or jolting machines shall be mixed as dry as practicable so as to completely fill the molds and produce a pronounced water web on the surface without slumping or sagging. Where the wet cast method of manufacture is used, the water content should be reduced to a minimum and the mixture vibrated or tamped and spaded so as to eliminate aggregate pockets and to insure filling of the molds.

4.1.3.1 Storage of Materials—Cement and aggregates shall be stored in such manner as to prevent deterioration or intrusion of foreign matter. Any material which has deteri-

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orated or damaged shall not be used in the manufacture of concrete (block) products.

4.1.3.2 Freezing Weather — No concrete (block) products shall be manufactured during freezing weather unless artificial heat is provided so as to permit the manufacture, curing and drying of concrete (block) products of properties as provided in these Rules.

4.2 Mixing Machinery.

4.2.1 The dry mixing of dense aggregates and cement shall be for at least one minute before the addition of water. After the water is added, the mixture shall be mixed for at least four minutes.

4.2.2 After all materials are placed in the mixer, they shall be mixed continuously from 4 to 8 minutes.

4.2.3 The mixing machine shall be of such type and capacity so as to insure thorough mixing. Each mixing machine shall be provided with a device for measuring and controlling the added water. A clock for timing the mix, with a dial not less than 8 inches in diameter with a large sweep second hand, shall be placed in such a position as to be readily readable by the operator of the mixer.

Where practicable the timing of the mixing shall be integrated with the capacity of the molding machine, in which event the manufacturer shall certify that the mixer used is of a size that will produce properly mixed materials in accordance with the mixing time as provided in Rule 4.2.0.

4.2.3.1. *A continuous mixing machine may be used provided the capacity of such mixing machine shall be at least 50% greater than a corresponding batch mixer. The rate of water fed and the time of mixing for a specific number of revolutions of driving shaft and paddle arrangement in the mixer, when once determined for any type of concrete masonry unit, shall be maintained throughout the manufacture of that particular unit.*

4.2.4 The block molding machinery shall consist of hand or power operated molding machines with compacting by pressure or tamping by hand or power, or by power vibration so as to produce concrete block products of such densities as required to produce strength and absorption values consistent with the rules and proposed use of the finished product. Precautions shall be taken to ascertain how much tamping or vibrating shall be provided so as to maintain the same density in all concrete (block) products, using the same ratio of fine and coarse aggregates, so as to maintain uniformity.

4.3 Curing of Concrete (Block) Products.

4.3.1 Method of Curing—All concrete (block) products shall be properly cured by either steam curing or by storing in an enclosed space and subjecting to artificial heat and moisture as follows:

4.3.1.1 Steam curing of freshly moulded units shall be accomplished by placing the units to be cured in a steel cylinder, room or tunnel made tight and so designed as to provide moisture above the saturation point at any temperature used. For low pressure steam and temperatures up to 140° F., the curing time shall not be less than 12 hours. For high pressure steam ranging from 120 to 125 p.s.i. and temperatures between 300-400° F. such period shall not be less than

6 hours. All units shall be properly dried prior to usage.

4.3.1.2 Wet curing of freshly moulded units shall be accomplished by placing such units in reasonably tight rooms or enclosures heated to prevent freezing and equipped with fog nozzles to provide moisture. When the outside temperature drops below 50° F., heat in addition to moisture must be supplied to maintain a temperature of at least 50° F. for not less than 72 hours. After curing, such units shall be stored under cover and allowed to dry for at least 25 days prior to usage.

5.0 PROPERTIES OF CONCRETE (BLOCK) PRODUCTS.

5.1 Concrete (block) products shall have properties as follows:

a. Hollow concrete block or tile when delivered for use shall have a minimum ultimate compressive strength of seven hundred pounds per square inch of gross area tested as laid in the wall.

b. Solid concrete building block when delivered for use shall have a minimum ultimate compressive strength of fifteen hundred pounds per square inch tested as laid in the wall.

c. Such block or tile shall comply with the following requirements for general properties under visual inspection.

1. They shall be sound, of compact structure, reasonably uniform in shape and free from cracks, warpage or foreign substances which would affect their serviceability or strength.

2. If cinders form part or all of the aggregate, the cinders may contain a maximum of thirty-five per cent by weight of unconsumed carbon and a maximum of one and one-half percent by weight of sulphur.

d. When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per square inch of gross area tested as laid in the wall may be used. See C26-309 (7.1.1.4) as amended by local law 120, approved August 1, 1939, and local law Int. No. 220, passed April 25, 1940.

5.2 Test of Concrete (Block) Products.—

5.2.1 Concrete block products shall be tested in accordance with A. S. T. M. specification C140-39, after proper curing and drying except as follows:

5.2.1.1 High and Low Pressure Steam cured and properly dried blocks immediately after drying.

5.2.1.2 Units cured by artificial heat and sprinklered water when dried under cover may be tested and used in not less than 28 days. And when high early strength Portland Cement is used, such time shall not be less than 15 days.

5.2.1.3 Individual minimum compressive strengths of test specimens shall not be less than:

Hollow units [650] 600 p.s.i. gross cross-sectional area

Solid units [1400] 1300 p.s.i. gross cross-sectional area

5.2.1.3.1 The speed of the moving head of the testing machine shall not exceed 0.05 inches per minute.

5.3 Absorption of concrete (block) products shall not exceed 15 pounds of water per cubic foot of concrete nor shall the moisture content when delivered exceed 40 percent of the total absorption based on an average of five units as tested.

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5.3.1 Concrete (block) products not exposed to the elements or soil or protected by brick veneer or three coat Portland cement stucco at least 1 in. thick or other approved protective coatings need not be required to meet the absorption tests required under 5.3.

6.0 CONCRETE BRICK.

6.1 Concrete Brick For Use in Masonry Walls.

6.1.1 Concrete brick shall consist of a mixture of Portland Cement sand, gravel, crushed stone or other approved aggregates.

6.1.2 Concrete brick shall be manufactured and cured as provided in Rule 4.0.

6.1.3 The fire resisting rating of concrete brick shall be the same as for ordinary clay brick of similar thickness.

6.1.4 The size of concrete brick shall be as follows:

Depth	2¼"	—	1/16"	Tolerance
Width	3¾"	—	⅛"	"
Length	8"	—	¼"	"

6.1.4.1 Concrete bricks of sizes different from the above may be used when approved by the Board.

6.2 Physical Requirements for Concrete Brick.

6.2.1 Strength of Concrete Brick — Concrete bricks shall have an average compressive strength, when tested flatwise, of 2500 p.s.i. for an average of 5 specimens, with no individual minimum less than 10%. The modulus of rupture, flatwise, for an average of 5 specimens tested shall be not less than 450 p.s.i. with no individual minimum less than 10%.

6.2.2 Absorption of Concrete Brick—Absorption requirements shall be the same as those provided for concrete (block) products in Rule 5.3.

7.0 FILLER BLOCK FOR RIBBED FLOOR CONSTRUCTION.

7.1 Ribbed floor construction shall include floor systems with slabs and ribs placed monolithically between permanent or removable fillers, in which the ribs are spaced thirty inches or less from face to face. The ribs shall be straight, at least four inches in width, and of a maximum clear depth of not to exceed three times the average width. See C26-476.0a (8.5.8).

7.2 When concrete or scored burnt clay tile are used, the thickness of the slab shall be at least one-twelfth of the clear distance between the ribs with a minimum of one and one-half inches. Where such tile are of strength at least equal to that of concrete and the joints are staggered, the shells in contact with the concrete may be included in the resisting sections. In a two-way construction, provided the tile filler is completely surrounded by concrete ribs as specified, the exterior shells of the tile in contact with the concrete may be used for strength calculations for shear and bending and where the top slab is not required for strength such top slab may be omitted provided the construction is protected by at least two inches of incombustible material. See C26-476.0 (8.5.8) b.

7.3 Concrete filler block or tile for use in ribbed floor construction shall consist of a mixture of Portland cement or high early strength Portland cement, sand, gravel, crushed stone or other approved aggregates, manufactured, cured and stored as provided in Rule 4.0.

7.4 For use in ribbed floor construction, such filler tile or block shall have webs and shells not less than 1" in thickness and shall have properties as follows:

7.4.1. The surfaces of the filler block in contact

with the concrete rib and top slab shall provide a good bond.

7.4.2 The average compressive strength over the net area of five such filler units, when manufactured, cured and stored as required in Rule 4.0, shall be at least equal to that of the concrete in the ribs of a specific job on which it is to be used.

7.4.3 The modulus of elasticity of the mix used shall be determined preferably from a test of an average of six filler blocks or in lieu thereof five tamped and rodded cylinders approximating a density (checked by weighing) equivalent to that of the filler block, 6 inches in diameter and 12 inches high, when manufactured, cured and stored under the same conditions as the filler units and as required in Rule 4.0. From the value of modulus of elasticity as obtained in this test and that of the concrete in the rib, a composite modulus shall be derived, in accordance with the theory of flexure as defined in Hooke's Law. The percentage obtained from the ratio of the modulus of elasticity of the composite section to the modulus of elasticity of the concrete in the rib will provide a new "n" value indicative of the resistance of the composite construction of the particular filler block and type of concrete used in the rib.

7.4.4 The materials and method of mixing as used to determine the physical properties of filler block in Rules 7.4.1 and 7.4.3, once fixed, shall be maintained for that job order to assure the delivery of homogeneous units of a type as tested.

8.0 MARKING OF ALL CONCRETE (BLOCK) PRODUCTS.

8.1 Concrete block products used as fillers and in partitions, furring or fireproofing purposes and tested to a compressed strength of 300 p.s.i. over the gross area, shall have a clearly discernible mark distinguishing them from load-bearing units.

8.2 Units used for load bearing walls and tested to a compressive strength of over the gross area of 700 p.s.i. for hollow units and 1500 p.s.i. for solid units, suitably identified in the case of load-bearing hollow units, either by having the letters "L.B.H.", or by having a raised vertical mark on the end web at least one inch wide and extending one-half the height of the unit and in the case of load-bearing solid units either by having the letters "L.B.S." or a raised vertical mark at least one-half inch wide on the web for the full height of the unit, and which also shall have the manufacturer's distinguishing mark as provided in Rule 8.4. On each shipment to a job, the delivery slip shall qualify the markings on the concrete masonry units.

8.3 Units used for filler blocks in ribbed floor construction shall be identified as filler block, "F.B.", and shall also carry the manufacturer's distinguishing mark as provided in Rule 8.4.

8.4 The manufacturer's distinguishing mark shall consist of an impression [or] embossing or painting on the unit. *Nine copies of such* [Such] distinguishing mark shall be filed with the Board. [and with the Borough Superintendent of Housing and Buildings where such units are to be used] All delivery slips shall be stamped, reading as follows:—Approved by the Board of Standards and Appeals for use in New York City under Cal. No.

8.5 Contracts for all concrete (block) products shall include a proviso from the manufacturer or his representative stating the material, type, use, compressive strength, water absorption, and, in addition, in the case of filler block, the modulus of elasticity.

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9.0 USES OF CONCRETE (BLOCK) PRODUCTS.

9.1. Hollow Units.

9.1.1 Load Bearing Hollow Units.

9.1.1.1 Hollow concrete block or tile, when delivered for use, shall have a minimum ultimate compressive strength of 700 p.s.i. of gross area tested as laid in the wall. C26-309.0 (7.1.1.4)a.

9.1.1.2 The allowable working stresses for concrete block or tile masonry, due to combined live and dead loads, shall be one-tenth of the ultimate compressive strength where cement mortar is used, and one-twelfth where cement lime mortar is used. Concrete block or tile building units for load bearing walls or piers shall be laid in cement or cement lime mortar. C26-358.0 (7.4.2.4).

9.1.2 Masonry foundation walls shall have a thickness at least equal to that of the wall next above, and at least equal to the thickness given in inches in the table below:

	Solid masonry	Hollow masonry	Hollow walls of brick (concrete)
Private dwellings at most twenty feet high and one-story structures at most twenty feet high....	8	12	12
Private dwelling over twenty feet high or other structures of more than one-story and over twenty feet high ..	12	16	16

Foundation walls of hollow blocks may be used above grade when the upper walls are of wood frame or of hollow building block construction. All other foundation walls shall be of solid masonry, except when the structure is without basement or cellar. C26-397.0 (8.3.1.6).

9.1.3 Thickness.

In structures over two stories high, except private residences, foundation walls shall be at least four inches thicker than the wall section next above, except that when the walls are of hollow units or are hollow walls of brick, the foundation walls may be of the same thickness as the walls next above, provided such foundation walls are built of solid masonry or concrete and that as maximum of two stories above the foundation are of the same thickness. C26-397.0 (8.3.1.6)c.

9.1.4 Walls of Hollow Block or Tile.

9.1.4.1 Walls of hollow block or tile or solid structural units shall have the spaces between the units filled with mortar. The requirements of sections C26-416.0 through C26-421.0 and of section C26-426.0 shall apply to such walls.

9.1.4.2 In all walls of hollow block or tile or solid structural units, built only one unit in thickness, each unit shall break joints with those next above. When more than one unit is required to produce a given wall thickness, the units shall break joints with the units next above and shall be laid with a masonry

bond equivalent to one course of headers to each three courses of stretchers.* In the case of non-bearing interior partitions one story or less in height, constructed of units to be left exposed on one or both sides for architectural effect, these bonding requirements may be waived.

* The bonding specified applies only to combination walls of hollow block, tile or solid structural units and does not apply to faced walls covered by C26-440.0 (8.4.7).

9.1.4.3 Where walls of hollow masonry are decreased in thickness, the units in the top course of the thicker wall shall be filled solidly with concrete or shall be covered with slabs of solid masonry at least one inch in thickness, or solid units shall be used for the top course.

9.1.4.4 Where anchors are used in walls of hollow masonry, such anchors shall be galvanized, or shall be of non-corroding metal of adequate size and substantial construction.

9.1.4.5 Where hollow units are set with cells horizontal, such units shall be set in a full bed of mortar one-half of an inch or less in thickness, with vertical joints buttered full on shells and webs; where such units are set with cells vertical, the bearing members shall be buttered and vertical joints slushed full of mortar.

9.1.4.6 Wherever girders, beams, joists, or other structural members frame into masonry of hollow block or tile or solid building block, such members shall rest upon such solid incombustible material as will properly distribute the load.

9.1.4.7 The minimum thickness in inches of bearing walls of hollow masonry, except in private dwellings thirty-five feet or less in height, and mixed occupancies as provided in subdivision a of section C26-443.0, shall be:

40	10			
30	10	10		
20	12	10	10	
10	12	12	10	10
Height of wall in ft.	40	30	20	10

9.1.4.8 The maximum height for walls or portions of walls of hollow masonry in any class of structure shall be forty feet above the support of such walls or portions of walls.

9.1.4.9 Walls of hollow masonry may be constructed to the maximum permissible height on top of a solid masonry wall whose maximum height is thirty feet above the first tier of beams. The minimum thickness of such walls shall be based upon the requirements of section C26-427.0, and if such walls are bearing walls, such thicknesses, shall be based on the requirements of subdivision g of this section, and the solid masonry wall below shall be at least of the same thickness as that of the hollow masonry wall. See C26-431.0 a through i (8.4.3.2).

9.1.5 Veneered Walls.

9.1.5.1 Anchorage for veneered masonry walls shall comply with C26-437.0-1-2-3 (8.4.6.1 through 8.4.6.3).

9.1.5.2 Thickness and height of veneered walls shall not be included in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or

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enclosure walls, shall be forty feet above the foundations. See C26-438.0 (8.4.6.2).

9.1.6 Faced Walls.

9.1.6.1 Faced walls shall be of at least the thickness required for masonry walls of the material forming the backing. Facings of brick or solid structural units shall be bonded into the backing with headers, or stretchers at least four inches thicker than the facing, the equivalent of one-sixth of the area of wall. Dressed stone facings shall be bonded to the backing with the equivalent of approximately one-fifth of the superficial area in bond stone at least four inches thicker than the facing, in addition to which, every stone other than bond stone shall be anchored to the backing with at least one non-corroding metal anchor, at least three-sixteenths of an inch by one inch, or the equivalent, in cross-sectional area. In the case of plain coursed ashlar the bond stone shall occur at least as every alternate stone in every third course.

In the case of random ashlar, range work or other jointing schemes where the more frequently spaced smaller units are used for bond stone, the metal anchors may be omitted, provided the superficial area of the bond stone is at least equal to that required for brick facing, one-sixth the area of the wall.

When faced walls are built of different materials, the minimum thickness shall be that required for masonry walls built entirely of the material having the lower compressive strength.

The height of a single course in faced walls shall, in all cases, except for pilaster and spandrel facing stone, be at most ten times the thickness of the facing material.

When facing is used, such facing shall not be figured in the strength of the wall unless such facing is at least four inches in thickness or at least the normal thickness of an average brick.

See C26-440.0 a through e (8.4.7).

9.1.6.2 The total thickness of the wall, except as noted above, shall be used in computing the load carrying capacity of the wall, and the average allowable stress shall be based on the ultimate compressive strength of the weaker material.

9.1.7 Party and Fire Walls.

9.1.7.1 Party walls may be of any type of masonry provided for herein and shall comply with all requirements for bearing walls. Party walls which function also as fire walls shall, in addition, conform to the requirements of section C26-631.0 and of section C26-632.0.

It shall be unlawful to load any party wall on either side to more than fifty percent of its allowable loading. See C26-441.0 (8.4.8.1).

9.1.7.2 Fire walls of masonry shall meet the material, thickness and construction requirements of section C26-631.0 and of section C26-632.0. See C26-442.0 (8.4.8.2) and Rule 3.6.1.

9.1.8 Special Forms of Walls.

9.1.8.1 Bearing Walls for Private Dwellings—Bearing walls for private dwellings

shall have a minimum thickness for dwellings thirty-five feet or less in height as follows:

				Hollow Masonry and Hollow Walls of Solid Structural Units		
				Solid Masonry		
3	.....	8	..	..	8	..
2	.....	8	8	8	8	..
1	.....	8	8	8	10	8
Stories	....	3	2	1	3	2
See C26-443.0 (8.4.9.1).						

9.1.8.1.1 In such cases, faced walls of 4 inches of brick and 4 inches of hollow block may be used with header courses every 7th course. This shall apply to residence buildings only, which are not in excess of two stories or 20 feet in height.

9.1.8.1.2 In three-story structures having a maximum width of twenty-five feet, where the first story is used for commercial purposes and the upper stories for residence purposes, the minimum thickness of bearing walls shall be eight inches. See C26-443.0 (8.4.9.1.1).

9.1.9 Parapet Walls.

Parapet walls may be constructed of hollow masonry, in accordance with C26-444.0 (8.4.9.2).

9.1.10 Non-Bearing Masonry Walls.

The minimum thickness of non-bearing masonry walls, except as provided in sections C26-428.0 and C26-446.0, may be four inches less than the thickness required for bearing walls, except that any such wall shall be at least eight inches thick. See C26-445.0 (8.4.9.3).

9.1.11 Panel Apron and Spandrel Walls.

Panel, apron and spandrel walls of masonry in skeleton frame structures shall be at least eight inches thick if such walls are constructed of solid masonry, or at least twelve inches thick if such walls are constructed of hollow masonry or at least ten inches thick, if such walls are constructed of combinations of hollow and solid masonry, except that spandrel and apron walls may be eight inches thick or may be of materials, or of assemblies or materials, other than masonry, meeting the requirements of article eleven of the Building Code. Combinations of hollow and solid masonry shall be constructed with at least four inches of solid masonry on the exterior face. The maximum height between supports of such walls when constructed of these minimum thicknesses shall be thirteen feet. When such walls exceed thirteen feet in height, they shall be increased two inches in thickness for each six and one-half feet or fraction thereof that the height is increased.

Panel walls shall be bonded or otherwise so secured to the structure as to furnish adequate lateral support to the wall. See C26-446.0 (8.4.9.4).

9.1.12 Enclosure Walls.

Enclosure walls shall meet all the requirements of height, thickness and type of construc-

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tion prescribed for bearing walls. See C26-447.0 (8.4.9.5).

9.1.13 Masonry Curtain Walls.

Curtain walls of solid masonry shall be at least eight inches thick for the uppermost thirteen feet and at least twelve inches thick for the next fifty-two feet or fraction thereof below and shall be increased four inches in thickness for each succeeding sixty feet or fraction thereof below.

When masonry curtain walls are built of masonry other than solid masonry, such walls shall be at least ten inches thick for the first thirteen feet, twelve inches thick for the next lower thirty-nine feet and shall be increased in thickness four inches for each thirty-nine feet or fraction thereof next below, provided that the maximum horizontal distance between lateral supports shall be twenty feet. When the distance between the lateral supports exceeds twenty feet, the thicknesses of all walls specified in this section shall be increased four inches for each additional ten feet or fraction thereof between lateral supports. Curtain walls of hollow masonry twelve inches or more in thickness shall be made of at least two bonded units. See C26-448.0 (8.4.9.6).

9.2 Uses of Concrete Block Products including Concrete Brick.

9.2.1 Solid building block when delivered for use shall have a minimum ultimate compressive strength of 1500 p.s.i. tested as laid in the wall. C26-309.0 b (7.1.1.4).

9.2.2 The allowable working stresses for solid units of concrete (block) products shall be in accordance with the requirements of C26-358.0 (7.4.2.4) and for concrete brick the allowable working stresses shall be as provided for in C26-356.0 a, (7.4.2.2).

9.2.3 Solid units may be used wherever hollow units are permitted under Rule 9.1 when used under the same conditions. In addition to such uses, solid units shall be used as follows:

9.2.3.1 Solid Units in Masonry Foundation Wall.

Solid concrete (block) products for use in masonry foundation walls shall be in accordance with the requirements of Rule 9.2.1-2.

9.2.3.2 Masonry piers shall be built of solid masonry and, except as provided in section C26-314.0, shall be laid in cement mortar or cement-lime mortar, and the maximum unsupported height shall be ten times the least dimension. Sections of panel walls in skeleton construction shall not be considered as piers.

It shall be unlawful to have openings or chases within the required area of any pier. Masonry piers shall be bonded in accordance with the requirements of C26-424.0 except that when concrete (block) products are used, they shall be laid with a masonry bond equivalent to one course of headers to each three courses of stretchers. See C26-431 b2. See also C26-415.0a.

9.2.3.3 Solid Masonry Walls.

9.2.3.3.1 Bonding of Wall Intersections.

When two bearing walls meet or intersect and the courses are carried up together, the intersection shall be bonded

by laying in a true bond at least fifty percent of the units at the intersection.

When the courses of meeting or intersecting bearing walls are carried up separately, the perpendicular joint shall be regularly toothed or blocked with eight-inch maximum offsets, and the joints shall be provided with metal anchors having a minimum section of one-quarter of an inch by one and one-half inches, with ends bent up at least two inches, or with cross pins to form anchorage. Such anchors shall be at least two feet long and the maximum spacing shall be four feet.

Meeting or intersecting non-bearing walls shall be bonded or anchored to each other in an approved manner. See C26-426.0 (8.4.2.4).

9.2.3.3.2 Thickness of Solid Bearing Walls.

The thickness in inches of solid masonry bearing walls for the respective story heights, with the exception of private dwellings thirty-five feet or less in height and mixed occupancies provided for in section C26-443.0, shall be at least:

8	.....	12							
7	.....	12	12						
6	.....	12	12	12					
5	.....	12	12	12	12				
4	.....	16	12	12	12	12			
3	.....	16	16	12	12	12	8		
2	.....	16	16	16	12	12	12	8	
1	.....	20	16	16	16	12	12	12	8
Stories..	8	7	6	5	4	3	2	1	

For the purpose of calculating wall thicknesses, thirteen feet shall be assumed to be the maximum height of a story.

Regardless of the requirements of this section, it shall be unnecessary for the thickness of solid masonry bearing walls for structures of at most seventy-five feet in height to exceed twelve inches for the uppermost fifty-five feet* of height and sixteen inches for wall below the required twelve-inch wall. Where, under the foregoing provision, a change in required thickness of wall occurs between two floors, thickness required at that tier of beams nearest the elevation of the required change shall govern.

* Note:—The Board under Calendar 308-38-A interpreted the Building Code requirement as follows:

"WHEREAS, it has been brought to the board's attention that there is a conflict of opinion as to the intent of section C26-427.0 of the administrative code (8.4.2.5).

Resolved, that section C26-427.0 of the administrative code (8.4.2.5) shall be taken to mean as follows, as to figuring the uppermost 55 feet of bearing wall and the point where a change of thickness is required: height of wall and height of story are defined in C26-82.0 (1.74). Subject to this definition as to parapet, the top of the wall shall be taken as the top surface of the highest point of the beams directly supporting the roof boarding. When the base of the 55 foot wall occurs between floors, this shall be taken to mean within the story as defined in C26-145.0 (1.138). If the base of such wall occurs at a point below the middle point in the height of a story, the change of wall thickness may be made at the next lower

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tier of beams. If the base of such wall occurs above the middle point in the height of a story, the thicker wall shall be carried up to the next higher tier of beams. For calculation of wall thickness, the code provides that 13 feet shall be assumed as the maximum height of a story."

When the clear span between bearing walls or between a bearing wall and an intermediate support is more than twenty-six feet, the thickness of such walls shall be increased four inches in thickness for each twelve and one-half feet or fraction thereof that such span is in excess of twenty-six feet, except where such bearing walls are adequately reinforced by buttresses. See C26-427.0 (8.4.2.5).

9.2.3.3.3 Thickness of Interior Walls in Residence Structures.

The thickness in inches of interior bearing walls with bearing on both sides in residence structures for the respective story height shall be at least:

6.....	8					
5.....	8	8				
4.....	8	8	8			
3.....	8	8	8	8		
2.....	12	8	8	8	8	
1.....	12	12	8	8	8	8
Stories ...	6	5	4	3	2	1

Where interior walls in residence structures have bearing on one side only or are non-bearing, the required thickness in inches shall be eight inches for the uppermost fifty-five feet of wall height and twelve inches below the fifty-five feet foot distance from top of such walls.

Where wood floor and roof beams bear on both sides, such beams shall be staggered on the bearing wall and there shall be at least four inches of masonry between any two such wood beams.

The maximum length of such bearing and non-bearing walls between cross-walls, cross-bracing, piers or buttresses shall be thirty feet. See C26-428.0 (8.4.2.6).

9.2.3.3.4 Solid Masonry Walls Above Roof Levels.

Solid masonry walls above roof levels, twelve feet or less in height, enclosing stairways, elevator shafts, penthouses, or bulkheads shall be at least eight inches thick and may be considered as neither increasing the height nor requiring any increase in the thickness of the wall below, provided the allowable working stress requirements are met. See C26-429.0 (8.4.2.7).

9.2.4 Special Forms of Masonry.

9.2.4.1 Increasing height of walls.—If it is desired to increase the height of any wall, erected before January first, nineteen hundred thirty-eight, which is thinner than required by the Code, such wall shall be reinforced by a lining of solid masonry so that the combined thickness shall be at least four inches more than is required for a new wall corresponding with the total height of the wall when increased in height; provided that

it shall be unlawful to use such lining to a greater height than forty feet or to increase the height of such wall to exceed seventy-five feet. Such lining shall be supported on proper foundations and shall be at least eight inches in thickness and so anchored to the old wall as to make the reconstructed wall act as a unit. Where any lining is to be built against an old wall, such wall shall be first cleaned of plaster or other coatings. Walls to be lined shall be in good condition and the approval of the superintendent shall be necessary before the work begins. See C26-454.0 (8.4.9.12).

9.2.4.2 Height of Unsupported Walls.—The maximum unsupported height of any masonry wall during the period of construction shall be two stories or twenty-six feet, unless satisfactory support is provided and specific approval of the superintendent obtained, except when walls are carried separately by structural members on each story. See C26-445.0 (8.4.9.13).

9.2.4.3 Stairway, Elevator and Similar Enclosures.

Enclosing walls of interior shafts, if non-bearing, shall meet the requirements for non-bearing walls, and if such walls are bearing, they shall meet the requirements for bearing walls, except as provided in section C26-428.0, and where such enclosing walls are supported at each story on structural members.

Where the enclosures are supported by structural members at each story, such enclosures shall meet the requirements of sections C26-638.0 through C26-647.0 and of sections C26-660.0 through C26-665.0. See section C26-456.0 (8.4.9.14).

9.3 Filler Block for Ribbed Floor Construction.

9.3.1 Filler blocks of concrete (block) products used merely as fillers in ribbed floor construction, shall consist of any approved concrete (filler block) product with no structural properties of resisting shear and bending attributed to it in the computations.

9.3.2 Filler blocks of concrete (block) products used in resisting shear and moment, as provided in C26-476.0 (8.5.8) and having properties as provided in Rule 7.0, may be used in one and two-way ribbed floor construction. When so used, the analysis and application of the equivalent resisting section shall be as follows:

9.3.2.1 Equivalent resisting reinforced composite section to resist positive moment shall be the beam formed by the concrete rib and the slab plus the shell and top flange of the concrete (block) product.

9.3.2.2 Equivalent resisting reinforced composite section to resist negative moment shall be the beam formed by the concrete rib and the vertical shell of the block plus 50 per cent of the bottom flange in one-way construction and all of such flange in two-way construction.

9.3.2.3 The equivalent resisting reinforced composite section to resist shear, with or without the top slab, shall be the rectangular beam formed by the concrete rib and vertical shell of the filler block.

9.3.2.4 The equivalent resisting reinforced

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composite section to resist either positive or negative moment, where the top slab is omitted, shall be the rectangular beam formed by the concrete rib and the vertical shell plus 50 per cent of the horizontal flanges of the filler block in one-way construction and all of such flanges in two-way construction, provided that the filler block is entirely surrounded by concrete ribs and the joints between the blocks are staggered.

9.3.3 In the construction of all ribbed floor sys-

tems precautions shall be taken so that the edges of filler blocks shall be placed straight and in plane so as to provide tight, uniform joints where they contact. All burrs shall be removed.

9.3.3.1 Filler blocks of special types for ribbed floor systems may be manufactured as provided herein and tested under the requirement of C26-626.0 (10.3.8) for such values as may be justified from the test results in accordance with the aforesaid section.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

APPROVED APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Name	Calendar No.	Name	Calendar No.
Automatic Paint Sprayer	477-37-SA	Milburn Spray Painting Equipment	492-38-SA
Binks Circulating System for Paint Spraying	851-39-SA	Paasche Spray Painting Equipment.....	363-32-SA
Binks-Hu-Ro-Thor-Hurley Spray Equipment....	338-32-SA	Sharpe Spray Guns, Models B-21, C-21, RA-21,	
De Vilbiss Spray-Painting Equipment.....	336-32-SA	RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,	
Eclipse Spray Painting Equipment.....	151-38-SA	L, M-2, M-4, FA-36 and FC-36.....	604-38-SA
Eureka Paint Sprayer.....	478-37-SA	Spraco Spray Painting Equipment.....	479-32-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.	Name	Calendar No.
Alro	720-38-SA	Preferred	213-35-SA
Fee and Mason	10-36-SA	Rhode Island ..	204-35-SA
Flagg	345-35-SA	Seal-O-Stram	48-35-SA
J. H. N.	292-35-SA	Sealtite	231-35-SA
Mallory Fill Pipe Terminal	990-39-SM	Simplex	214-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA	Weco	78-38-SA
Newbury	223-35-SA		

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

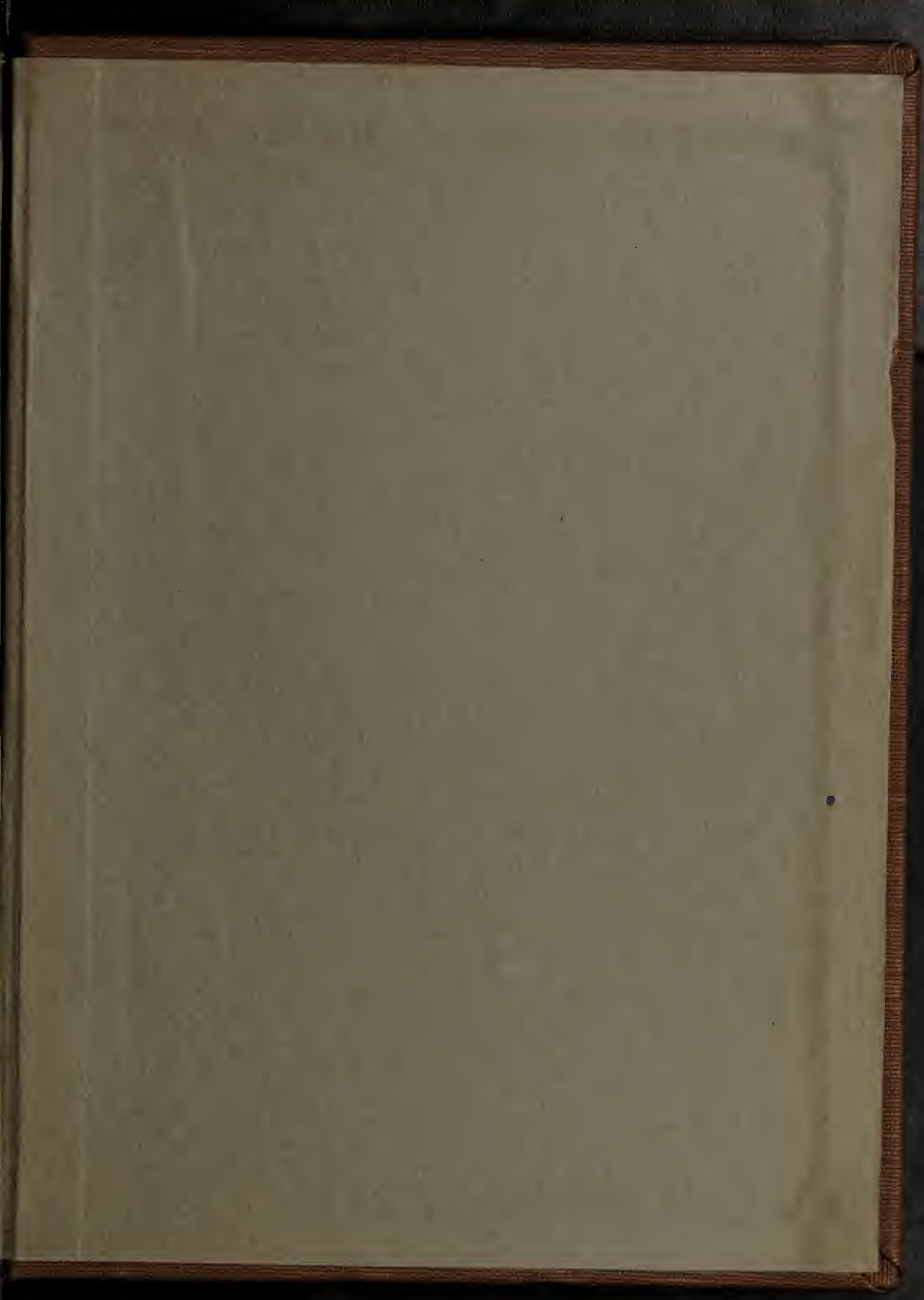
(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.



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